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ABSTRACT

Initial findings, conclusions, and recommendations, based on studies during the commission's first five months of existence concerning the current structure of amateur sports in the United States, are presented in this document. It is shown that there is no truly effective system for amateur athletics in this country, that the system is influenced by the International Olympic Committee and the international sports federations, and that the role of American governing bodies differs from sport to sport. Significant differences in systems in other countries are described in the areas of organization and management, mass participation, development programs, financing, facilities, and competition. The need for reorganization of amateur sports in the United States is emphasized, and ways are suggested for accomplishing the reforms. A potential solution is presented in the concept of a highest sports authority, which is conceived as a permanent organization of national scope with responsibility for handling those essential functions not currently being carried out by existing organizations and for mobilizing existing financial, technical, and organizational resources in support of a comprehensive national amateur sports effort. The goals and means of implementation of a highest sports authority are discussed. (LBH)

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President's Commission
on
Olympic Sports

First Report to the President

February 9, 1976

SP 010 018

President's Commission on Olympic Sports

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President's Commission
on
Olympic Sports

First Report to the President

February 9, 1976

WASHINGTON, D.C. 20506

February 9, 1976

President Gerald R. Ford
The White House
Washington, D.C.

Dear Mr. President:

The President's Commission on Olympic Sports is pleased to submit to you its first report under cover of this letter.

This report marks the end of the first five months of the Commission's existence and thereby presents our initial findings, conclusions and recommendations with regard to the current structure of amateur sports in the United States. Final and definitive conclusions and recommendations will follow in the second report, scheduled for submission in September 1976, based on further examination of the issues and of the feasibility of our proposed recommendations.

In this first report we present an analysis of the current system of amateur sports in this country and an identification of problems and weaknesses. We also identify the system's needs and develop a proposed concept for consideration as a vehicle for meeting these needs.

Immediately following this letter is an executive summary of the report. The report itself follows it and is organized into six chapters.

The Commission's fact-finding activities over the past five months have made it very evident that the current structure of amateur sports is fragmented, ill-defined and non-directed.

Improvements in the areas of organization, management and finance are required before the system as a whole can operate effectively, efficiently and in the best interests of the public. It appears, at this time, that the type and scope of reform necessary to meet most of the needs of the system will not and cannot come from within the existing structure. Rather, there seems to be a need for a single, comprehensive organization to provide the leadership, direction, coordination and support necessary to effect change within the current system. We see this organization as concerned with all amateur sports that are played competitively at the international level rather than just those sports currently on the Olympic roster since the problems of Olympic sports cannot be dealt with effectively in isolation from other amateur sports.

This report has raised many questions about the nature and activities of such an organization and alternative ways of implementing it. The Commission will be conducting further study of these issues during the remaining seven months of its existence and encourages all interested and involved individuals and organizations to submit their reactions and ideas for consideration.

In the coming weeks and months, the Commission will address itself to:

- Determining the appropriate and acceptable nature and activities of a restructuring mechanism
- Examining the feasibility of proposed mechanisms in terms of legal, administrative and fiscal implications

- Reviewing the alternative strategies for implementation of proposed mechanisms
- Conducting a sport-by-sport analysis to provide information on the status of individual Olympic sports and to test the projected effectiveness of any proposed solutions within each sport

The second and final report will present the results of these activities.

Mr. President, the most important idea contained in this report concerns the need to reorganize the current structure for amateur sports in our country. We ask your prompt review and expression of support for this idea in order to facilitate examination and consideration of the many issues surrounding a possible solution.

Very truly yours,

G. B. Zornow

Gerald B. Zornow, Chairman
President's Commission
on Olympic Sports

TABLE OF CONTENTS

		Page Number
	LETTER OF TRANSMITTAL	iii
	EXECUTIVE SUMMARY	xi
I.	INTRODUCTION AND OVERVIEW	1
II.	THE CURRENT AMATEUR SPORTS SYSTEM	13
III.	AMATEUR SPORTS SYSTEMS IN OTHER COUNTRIES	53
IV.	NEED FOR REORGANIZATION OF AMATEUR SPORTS STRUCTURE	69
V.	MODEL OF A HIGHEST SPORTS AUTHORITY	101
VI.	IMPLEMENTATION ALTERNATIVES	113

a

INDEX OF EXHIBITS

Page

I. UNITED STATES OLYMPIC COMMITTEE ORGANIZATION CHART 18

II. COMPOSITE MODEL OF EUROPEAN NATIONAL SPORTS SYSTEMS 55

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The purpose of this section is to facilitate an understanding of the structure and contents of the entire report. While this summary contains the report's major ideas, it is still only a summary. Readers are cautioned that a full understanding of the report requires reading the whole report.

The summary is presented under the same six headings as the report itself.

1. INTRODUCTION AND OVERVIEW

The President's Commission on Olympic Sports was formed partly in response to the continuing conflicts among various organizations involved with amateur sports in this country and partly in response to declining performance by the United States in international competition such as the Olympic Games. In fact, these problems are linked together as they are symptoms of a system that is not functioning properly. Demonstration of this linkage is found in the three major reasons why U.S. amateur sports performance is declining internationally:

- Other countries have improved the quality and quantity of their participation in internationally competitive amateur sports at a rate far in excess of improvements made in the United States
- Amateur sports are not competing effectively with professional sports in the United States for time, money and emphasis

- Conflicts among the organizations which govern amateur sports in the United States have hindered American sports development at the grass-roots level; have limited effective solicitation of financial support; and, have often created a pattern of facility use based upon jurisdictional rather than cooperative lines

There have been previous efforts to improve the environment for amateur sports in this country. But, these efforts have not resulted in a lasting solution. The Commission's charge is different from prior efforts in that the earlier efforts have focused on symptoms of the problem or on bringing forth solutions directly. The Commission's role is to analyze the system and structure for amateur sports to determine how it should function before promulgation of any solutions to current problems.

As a foundation to its analysis the Commission states that the United States should compete in international competition to the best of its ability and should commit the necessary resources to ensure that the country is well-represented in such competition. Further, the Commission believes that a goal of the U.S. amateur sports system should be to broaden the participation base in all our sports both for its own sake and so that "elite" or international level athletes will emerge.

2. THE CURRENT AMATEUR SPORTS SYSTEM

There is, at the present time, no truly effective system for amateur athletics in this country. Rather, there are numerous organizations that function independently in amateur sports. Individually, many, if not all, of these organizations are capable of meeting their own organizational goals and to some degree meeting the needs of athletes who participate in their programs.

However, the overall system for amateur sports in this country is characterized by its voids as much as by its positive programs. As a consequence, the resources which are devoted to amateur sports are not used as effectively or as efficiently as they might be and the benefits to be derived from amateur sports are not as great as they should be.

The U.S. amateur sports system is influenced by the International Olympic Committee and the international sports federations. The IOC's most significant power lies in its right to determine the rules of eligibility for those athletes wishing to compete in the Olympic Games. The power effects the standards set by the international sports federations and lesser organizations for other competitions. The international federations are governing bodies for their sport in world competition. This means that they establish competitive rules for the sports that are used in international and Olympic competition, certify judges and referees, sanction all international competitions including world championships and recognize new member countries. The power to determine who a country's member affiliate will be influences domestic sports in so far as it relates to preparing for and entering international competition.

A description of the system begins with the United States Olympic Committee. Federally chartered, this organization contains nearly total representation of the country's amateur sports community. It has, because it has had some money to do so and because no one else has done so, taken a leadership role in the amateur sports system. It has promulgated an athlete's bill of rights; given out development monies to each Olympic sport; created an athletes' advisory council. Regardless of whether or not these and other measures have been effective, the fact remains that there are numerous areas of need not being and not readily capable of being satisfied by any current organization in a consistent manner across the whole system. The USOC simply does not now have the specific authority to deal with such issues on behalf of the entire system.

The role of U.S. governing bodies differs from sport to sport. Some bodies are quite strong and run directly very active programs effecting the whole of their sports. Others are simply small, rule-making and sanctioning bodies. Factors which tend to keep U.S. governing bodies in the latter mold are the amount of and nature of "restricted" competition -- something which is not controlled by governing bodies; membership, that is, all organizations running programs in a sport are not members of a governing body; and, amount of resources available to conduct their own programs.

At the actual operational level, there are numerous non-sport and multi-sport organizations conducting sports programs in the United States. They include religious, social and ethnic, community, charitable, educational and military groups in addition to sports clubs. This situation produces an inherent conflict: organizations which are not exclusively devoted to amateur sports may pursue organizational goals that are in conflict with the needs of individual athletes and the system as a whole. This situation also leads to a fragmentation of effort and a creation of voids in the system.

Because of the nature of the system, an athlete-oriented, nationally-cohesive amateur sports system is virtually nonexistent in the United States. The USOC's effectiveness is hampered by limitations on its charter, voting structure and size. Most national governing bodies are not effective as leaders in their sports. Organizations which conduct the vast majority of sports programs are not necessarily responsive to the system as a whole. The current system itself is not fully responsive to the needs of athletes and the public.

3. AMATEUR SPORTS SYSTEMS IN OTHER COUNTRIES

It is generally accepted that any changes in the organization of amateur sports in the United States should be made in a manner consistent with this country's system of government. No system that works effectively in another country could be copied in the U.S. with great success, since the underlying political and economic forces are so different. Nevertheless, it is useful to note that an increasing number of countries -- with considerably smaller populations, resources, scientific equipment and experience -- have marshalled their athletic talents and significantly improved their performance in international competition. Comparison of the U.S. structure for amateur sports with that of other countries can be valuable in identifying particular aspects of other systems that appear worthy of consideration for the U.S.

Six major areas of sports structures have been studied, and significant differences among countries noted:

- Organization and Management

  The U.S.S.R., Canada, most Eastern and Western European nations and certain developing countries have a vertically-organized amateur sports structure with one organization having final authority on all sports matters. In Great Britain, East and West Germany, Sweden and the U.S.S.R., a non-governmental sports federation or sports council is the highest authority. In Belgium, the national Olympic committee is the authority. The government also has a well-defined financial and/or policy-making role in most of these countries, and in West Germany and Canada pays the salaries for professional staffs of governing bodies.

- Mass Participation

  Sport is a stated national priority in many other countries. Political leaders are personally involved in amateur sports and fitness concerns, the government financially supports athletic programs, and large industries encourage athletic participation by providing time off or facilities for workers

- Development Programs

  A coordinated network of local clubs is the mechanism utilized for athletic development in most countries; few countries besides the U.S. use the educational system as the backbone for sports programming and instruction. Short and long range master plans for individual sports, national sports programs and international participation are developed by sports associations and coordinated by the highest sports authority in many countries. Specific activities planned for include individual sport development, coaches training programs, classification of athletes, and sports research

- Financing

  Governments in many countries award grants outright -- to national sport governing bodies, the national Olympic committee, sports colleges, and other groups actively promote sport -- or conduct programs themselves such as constructing facilities, conducting training programs, etc. Revenue sources for these governments include lotteries, coin and stamp programs, and other fund raising devices

- Facilities

  Coordination of the planning, siting, construction, and use of sport facilities in other countries is seriously done by individual sports bodies in conjunction with the highest sports authority to optimize the effectiveness of facilities

- Competition

  Many countries, including the U.S., promote and sponsor national championships in a wide range of sports. European athletes, in particular, enjoy certain advantages in this area, since there are more frequent competitions with other proximate countries, there are periodic national games for multiple sports, and all national competitions are run under international regulations

4. NEED FOR REORGANIZATION OF AMATEUR SPORTS

This Commission has utilized several fact-finding techniques in order to collect a broad base of data on the present system of the Olympic sports. These research efforts and a subsequent analysis of findings have influenced the scope and direction of the Commission. Two areas in particular are effected: first, international sports competition cannot be studied in isolation from national and lower levels of competition; second, the current Olympic sports -- are closely intertwined with other internationally-affiliated amateur sports in their management, financing, and development and therefore cannot be studied apart from these other sports.

The Commission has conducted the first phase of its study through the successive stages of developing hypotheses, collecting data, analyzing findings, developing conclusions and formulating preliminary recommendations. The major conclusion resulting from these steps is that while much is being and has been accomplished by existing organizations in the development of amateur sports, there are serious problems which suggest the need for reorganization of amateur athletics if there is to be any significant improvement. The Commission is supported in the conclusion almost unanimously by the existing amateur sports powers in the U.S. and internationally, although they disagree on the specific details of implementation.

The United States Olympic Committee, the Amateur Athletic Union, and the National Collegiate Athletic Association all have expressed the view that some form of restructuring is desirable and persons within each organization have stated that Public Law 805 -- the legislation that Federally chartered the USOC -- would be an appropriate mechanism for effecting these changes. The General Assembly of International Federations, the International Olympic Committee, and several international sports federations have suggested that the U.S. organize its amateur sports system into a vertical structure and designate one organization to be in charge.

The Commission has reached its conclusion after identifying problems and deriving from them needs of the current amateur sports system. These needs go beyond organizational boundaries in that they are comprehensive across all sports and organizations and are national in scope. Specifically, these are:

- Arbitrating and resolving organizational conflicts and disputes
- Protecting against unreasonable application of rules to deny the rights of athletes to compete
- Minimizing probabilities of future conflicts
- Certifying national governing bodies based on specific measurable criteria
- Ensuring that gaps in the system are identified and filled
- Making available adequate and timely financial resources
- Providing qualified and objective managers and technical support
- Coordinating efforts of existing organizations

Ideally, the work of this Commission should result in the development of a set of solutions to meet all of these needs. The end goal is to have an efficient and effective system for amateur athletics in the U.S. that serves the athletes and other participants and ensures that our best amateur athletes are fielded in international competition. One potential means for meeting system needs -- and one which is receiving further study and careful consideration from the Commission -- is the development of a vertically-organized structure with one organization in charge.

"Vertical organization" implies an organizational structure wherein the national governing body in each sport has responsibility for promoting and developing that sport and for serving the needs of athletes and other participants; all the organizations conducting major programs in a sport are members of the national governing body for that sport; and there is a regionalized system of organization feeding into the national level, comprised of regional, state, and local affiliates of the national governing bodies or its members. The concept of one organization in charge of selected functions is derived from the idea of a "highest sports authority" alluded to in the rules of several international sports federations. In these regulations, the international bodies require the approval of a country's highest sports authority before recognition of a new franchise holder in that country.

An organization to serve as the highest authority in the U.S. would have to meet certain international requirements if the U.S. is to maintain acceptance and recognition by the IOC and the international federations. In particular, it must be free from political or government control, and must not usurp any of the USOC responsibilities explicitly designated by the IOC. The highest sports authority would, however, be proposed with specific responsibilities for national amateur sports programs. A wide range of functions could be assumed by this organization, from a minimum of arbitration to a maximum of plan development, research, funds allocation, governing body performance review, coordination, and so forth. To permit the most comprehensive consideration, all of the possibilities have been raised for further study.

Underlying many of the proposed responsibilities is that sports organizations should be accountable for accomplishing their mission of serving and developing athletes and other participants under their jurisdiction. A second element underlying the proposals is that this authority could provide support to existing organizations, as needed, to better accomplish their mission. This might take the form of financial, technical or managerial assistance; coordination; or comprehensive planning.

5. THE MODEL OF A HIGHEST SPORTS AUTHORITY

An analysis of the needs of the U.S. amateur sports system suggests that a reorganization of the structure is needed. One potential solution has been proposed that appears to meet the needs of the amateur sports system and to give a direction to sports programs that would be in the public interest. This is the concept of a highest sports authority. The concept has been introduced and a range of its possible functions discussed in order to facilitate the formulation and presentation of reactions, comments, critiques, and questions by individuals and organizations so as to guide further study and consideration of ideas by the Commission.

A highest sports authority is conceived as a permanent organization of national scope with responsibility for those essential functions not currently being carried out by existing organizations and for mobilizing existing financial, technical and organizational resources in support of a comprehensive national amateur sports effort. To accomplish this, the highest sports authority would have as its goals to:

- Represent the interest of the public in amateur sports
- Provide leadership and a central focus for all activity in amateur sport
- Formulate and maintain an informed national policy for amateur sports to guide government and non-government groups in their respective areas of activity
- Foster good and productive working relationships among organizations and resolve any conflicts involving organizations and/or athletes that arise
- Coordinate the interest and activities of existing sports-related organizations
- Ensure that national governing bodies are responsive to the needs and act in the best interests of athletes and the public at large
- Support the activities of existing organizations with financial, managerial and technical assistance

A highest sports authority would need to be endowed with certain explicit authorities to permit it to carry out its mandate. The source of this authority is an implementation question discussed later in this summary. The scope of this authority would depend upon the specific responsibilities of this highest authority, and would be limited to those absolutely necessary to fulfill its mandate. Clearly a mechanism for requiring accountability of the organization in its use of authority would be necessary to ensure that the rights of organizations and individuals are not infringed upon.

Dimensions of the model for a highest sports authority requiring further consideration include:

- Size
- Staff composition
- Location

These dimensions are dependent upon the organization and operations of the model deemed necessary to meet its established goals. Obviously too, the dimensions would depend on the level of financing available.

This issue of financing a highest sports authority involves two major areas: source and amount. The amount is a factor of whether the authority is to be an existing organization given new responsibilities or a newly established organization and what its directives are. Sources of funding include a wide range of possibilities that will be explored if the highest sports authority concept proves to be a generally acceptable mechanism for bringing about a reorganization of amateur sports. Potential sources include Congressional appropriations, grants from professional sports associations, a national lottery, a stamp or coin program and private sector donations, among others.

6. IMPLEMENTATION ALTERNATIVES

A model highest sports authority designed to meet the most pressing needs of amateur sports, including the need to reorganize the present system, can only provide solutions if it can be implemented. Therefore, major implementation questions that need to be addressed by the Commission in its second report are:

- Who has the authority to designate a highest sports authority in the U.S.? How would it derive its authority?
- Should the proposed highest sports authority be structured as a government department or agency, as a quasi-governmental corporation, as a Congressionally-chartered private organization, or as a privately-chartered organization?
- What existing sports organizations could be considered for designation as a highest sports authority?
- What steps would be necessary to implement a highest sports authority model?

* * * * *

This section has summarized the contents of the report. The first chapter of the report follows in the next section.

I. INTRODUCTION AND OVERVIEW

I. INTRODUCTION AND OVERVIEW

"But if we [U.S.] want to remain competitive, and I think we do, we owe it to ourselves to reassess our priorities, to broaden our base of achievement so that we again present our best in the world's arenas. From a purely political viewpoint, I don't know of anything more beneficial in diplomacy and prestige. I don't think we really want to be booed or forgotten."

Gerald R. Ford in Sports Illustrated, July 8, 1974

"We are under-exercised as a nation; we look instead of play; we ride instead of walk. Our existence deprives us of the minimum of physical activity essential for healthy living. And the remedy, in my judgment, lies in one direction -- that is developing programs for broad participation in exercise by all of our young men and women, all of our boys and girls."

John F. Kennedy, Speech at the National Football Foundation dinner, December 5, 1961

The President's Commission on Olympic Sports shares the concerns of President Ford and the late President Kennedy.

In the past the United States has performed well in international amateur athletic competition. This high level of performance has been achieved through the dedication of U.S. athletes, their parents, coaches and officials as well as through the contributions of various organizations in the United States that conduct sports programs. Often such successes have come at enormous financial sacrifices to all concerned. To say we have done well in the past does not mean the United States has done as well as it might have done or that our domestic, amateur sports programs are as strong as they might be.

Today, the United States is in severe trouble in the conduct and performance of its amateur sports program. As this first report shows, the current organizational system for amateur sports simply is not good enough to continue representing the United States as a major power in international amateur athletic competition. Many organizations in the system require assistance in terms of structure, management and funding. If our athletes continue to do well in international amateur athletic competition, they will do so only in spite of present deficiencies confronting amateur sports; some athletes, because of their devotion and desire, will overcome any handicaps in their way. Nonetheless, our amateur sports system does not and should not have to work in that fashion.

This chapter discusses some of the major reasons why the United States performance is declining in international sports, why such competition is important to this country and what should be done to broaden the interest and participation in sports.

1. OTHER COUNTRIES OF THE WORLD HAVE IMPROVED THE QUALITY AND QUANTITY OF THEIR PARTICIPATION IN INTERNATIONALLY COMPETITIVE AMATEUR SPORTS AT A RATE FAR IN EXCESS OF IMPROVEMENTS MADE BY THE UNITED STATES

It is a distinct step forward for the world of amateur sports to observe the rise of athletic excellence of athletes from Kenya, Uganda, East Germany, and other countries that only a few years ago were nowhere to be found in the world's international athletic arenas. It is hoped this trend will continue. Yet, the United States, as a world leader, should respond to this welcome challenge by working to improve its own athletic excellence. In too many instances, however, the United States has not yet risen to this challenge.

2. OUR "AMATEURS" COMPETING AGAINST THEIR "PROFESSIONALS" IS A FALSE ISSUE

Due to differing political and economic systems characterizing the world of nation-states, the practice of amateurism in sports varies widely in many countries. The growth of professional sports in this country, unparalleled in the world, is directly traceable to the nature of our free enterprise system. The pervasiveness and breadth of our advanced professional sports system and the international regulations prohibiting these athletes from competing in the Olympic Games and other international amateur competition causes public outcry. The complaint is voiced that our amateurs must compete against the Soviet Union's "professionals," a country that, by its own definition, has no professional athletes. However, this complaint is based on somewhat spurious reasoning. In only a few sports is it more attractive to turn professional than to seek a gold medal in the Olympics.

One of the major issues underlying the split between professional and amateur sports, and the one which the country should be addressing, is the plight of the post-collegiate athlete -- particularly in those sports that have no professional market. Our Olympic wrestlers, for example, are mostly recent college graduates or still in college, while many other countrys' wrestlers are several years older on the average and have greater international experience. Our wrestlers drop out at an earlier age because of financial pressures, difficulty in getting access to facilities and coaches, and other factors. Even in those sports that have an attractive professional market, such as basketball, amateur athletes feel pressures to drop out and do not have ample opportunity to continue to play their sport after college. Each National Basketball Association and American Basketball Association team drafts fourteen or fifteen players each year and generally only one or two players make the team. What happens to the other players? Most have no place to go to continue in their sport. This is true regarding athletes in many of our Olympic sports because the demands of a job and family preclude their continued participation in organized competition.

The strong free enterprise system in the United States and natural economic forces will always cause a siphoning of some of our best athletes into professional sports -- football and baseball, both non-Olympic sports, and basketball, ice hockey and others. This, understandably, occurs in other countries where professional sports are played.

Notwithstanding this, the United States can support both professional and amateur sports. The amateur sports system needs better organization, management and funding to make it more comparable to the organization of professional sports. There may come a day when the Olympics will be "open" to all athletes from a country, amateur or professional, but until then the United States must do a better job of producing, developing and supporting its amateur athletes.

3. THIS COMMISSION'S CHARGE GOES BEYOND SETTLING ORGANIZATIONAL SQUABBLES WITHIN AMATEUR SPORTS

The conflicts that have characterized amateur sports organizations are well known and will be discussed later in this report. It is important to note that the free enterprise system has allowed a multitude of amateur sports organizations to flourish in this country, but not without the development of rules that often work at cross purposes to avowed ends. It causes one to question whether some organizations exist for the good of the athletes or for their own welfare.

The recurring conflicts within amateur sports often result in limiting participation, hindering grass-roots development of athletes, restricting competition unnecessarily, underutilizing facilities and withering effective solicitation of financial resources.

There have been numerous, past efforts aimed at resolving organizational conflicts. These efforts have been both governmental and non-governmental. Persons as well-respected as General Douglas MacArthur, Robert Kennedy, Theodore Kheel, and members of the U.S. Congress have devoted much time and effort to amateur sports problems. Yet, a lasting solution has not been found.

This Commission's charge is quite different from these previous efforts. While earlier attempts to help amateur sports have focused on symptoms of the problem or on immediate solutions to aspects of the problem, the Commission's role is to analyze the structure of amateur sports to determine how it should function prior to promulgation of any solutions.

4. THERE IS A VALUE IN INTERNATIONAL COMPETITION FOR BOTH ATHLETES AND THE NATION

> "Broadly speaking, outside of a national character and an educated society, there are few things more important to a country's growth and well-being than competitive athletics."
>
> Gerald R. Ford, in Sports Illustrated, July 8, 1974

The United States should compete in international competition to the best of its ability and should commit the necessary resources to ensure the country is well represented in such contests. Competition is valuable to the individual's personal development and to a country's pride, particularly when the athletes win. Athletics provides a healthy, natural outlet for people and is an important answer to many of our social problems -- delinquency, crime, drugs and boredom. Participating in friendly sports competition with other countries carries one further positive value, it promotes international understanding among peoples at a very low cost. The United States could do more to capitalize on this vital domestic reserve.

5. BROADENING THE PARTICIPATION BASE IN ALL SPORTS AND WINNING MEDALS ARE COMPATIBLE GOALS WITHIN AN IMPROVED AMATEUR SPORTS SYSTEM

Some countries determine who are their best athletes, then support them to the fullest and pay little attention to the others except for those who have the potential to become "elite" athletes one day. This is not the American way, nor should it be. Our goal should be to broaden the participation base in all our sports and the "elite" athletes will emerge, given adequate development and training programs. So will the gold medals. Winning medals is then a by-product of wide-spread opportunity to participate.

Winning is important, however. How well we do is a reflection of our national spirit and purpose. Winning's importance differs among sports, however. The American people were outraged when the U.S. lost the basketball game in Munich. They will not be so concerned if we do not qualify a volleyball team, a sport the United States invented, for the Olympic Games in Montreal this summer. This is because volleyball does not enjoy the popularity of basketball.

So-called "minor" sports ought to be assisted. Perhaps we cannot, nor do we necessarily want to, increase the participation level in some sports to that of basketball or track and field, but athletes in "minor" sports care as much about winning as those athletes in the more popular sports. The most common characteristic of sports such as canoeing, cycling, fencing, field hockey, judo, modern pentathlon, team handball, volleyball, weightlifting and greco-roman wrestling, which renders them "minor," is that development programs are comparatively non-existent. This is a tremendous oversight. In the 1972 Olympics in all the above named sports, the U.S. won just one medal -- a bronze in canoeing. Yet, there is a total of 174 medals available in these sports.

Another problem plaguing some sports in the U.S is an unfortunate form of elitism. It centers primarily around cost. For example, it costs our best women gymnasts who are not in school or college $5-6,000 per year to compete. The decision whether or not to make such an outlay rests solely with the athlete and his or her family. At the same time, the country has some obligation to back these athletes, financially and otherwise, particularly when they are skilled enough to represent this country in international competition. Many sports pose these financial barriers with the obvious results that disadvantaged youth are excluded from participating in them. Further, for those athletes who are out of school but still wish to compete, it is often difficult for them to find jobs to support themselves merely because they are amateur athletes as employers are reluctant to hire the, knowing they will have to be away from their jobs to some extent for training and/or competition.

The United States can no longer expect to dominate those sports in which it has traditionally been successful in international competition unless penetrating improvements are made. Part of this is due to the improved athletic performance of the rest of the world mentioned earlier. For example, in the recent Pan American Games, the United States won more gold medals than ever before but Cuba with 9 million people won half as many. Cuba won only 8 gold medals in 1967; in 1975, they won 56 Just to keep pace, we must improve our sports system too.

* * * * *

This chapter has addressed some of the broad issues and problems the Commission has encountered in its first few months, since it was first announced by President Ford on June 19, 1975.

Based on the Commission's findings so far, it appears that with better organization, management and funding of our amateur sports program, many of the ongoing disputes can be eliminated; many of the issues raised in this chapter can be addressed; U.S. teams performing in the Olympics and other international competitions will more nearly realize their potential; and, sports participation at home is bound to increase.

Therefore, the Commission's first report addresses the current organizational system for amateur sports in the United States, compares it with that of other countries and comes to the conclusion that there must be a reorganization of amateur sports in this country.

The next chapter presents a description and review of the current United States amateur sports system.

II. THE CURRENT AMATEUR SPORTS SYSTEM

II. THE CURRENT AMATEUR SPORTS SYSTEM

It is the intention of this chapter to both describe the current amateur sports system and to demonstrate why it is capable neither of fully meeting the needs of athletes encompassed by it nor of comprehensively accomplishing the goals the public has for it. There is, at the present time, no truly effective system for amateur athletics in this country. Rather, there are numerous organizations that function independently in amateur athletics. Individually, many, if not all, of these organizations are capable of meeting the needs of athletes who participate in their programs. However, the overall system for amateur athletics in this country is characterized by the voids as much as by the positive programs which enhance amateur athletics and athletes. As a consequence, the resources which are devoted to amateur sports in this country are not used as effectively or as efficiently as they might be and the benefits to be derived from amateur sports -- for all the people -- are not as great as they should be.

1. THE U.S. AMATEUR SPORTS "SYSTEM" IS INFLUENCED BY THE INTERNATIONAL OLYMPIC COMMITTEE AND THE INTERNATIONAL SPORTS FEDERATIONS

For a better understanding of the domestic system for amateur sports, it is useful to examine briefly the international organizations that have assumed world-wide responsibilities in the areas of amateur sports. These organizations not only control most international competition that occurs but also greatly influence how amateur sports are conducted in virtually every country.

(1) The International Olympic Committee (IOC) Organizes and Conducts the Olympic Games

The IOC is a private, self-appointed group of men that organizes and conducts the world-renowned Olympic Games. At this time, it accomplishes this task by:

- Selecting host cities for the Games
- Working with the host cities in the planning and preparation of the Games
- Working with the international federations governing those sports which are on the current Olympic calendar to organize and conduct the actual competitions during the Games
- Setting overall Olympic policies such as standards of amateurism and selection of new sports for the calendar
- Defining eligibility rules with regard to amateurism
- Negotiating world-wide television contracts for the Games -- part of which provides the IOC with its operating revenues

To assist in the actual selection of competitors for the Games, the IOC relies on some 134 national Olympic committees that it has recognized to represent their countries. In the United States, the recognized national Olympic committee is the United States Olympic Committee (USOC).

Since athletes and non-athletes alike regard the Olympic Games as the ultimate in amateur competitions, it is not surprising that the most significant power wielded by the

IOC, vis-a-vis any country's amateur sports system, is its right to determine the rules of eligibility for those who wish to compete in the Games. Even though the IOC's authority extends only to the Games, it nonetheless affects the standards set by the international sports federations and lesser organizations. While some federations have differed from the rules regarding amateurism and open competition between professionals and amateurs, the IOC influence still strongly guides the rules of the majority of the federations.

(2) The International Sports Federations Are Governing Bodies for Their Sports

Sports with international competitions have their own international sports federation. Each of these federations is comprised of organizations from countries around the world who have active programs in that sport and who participate in international competition in the sport. Each such federation:

- Establishes the competitive rules for its sport that are used in international meets and the Olympic Games
- Certifies judges and referees for international competition
- Selects events and draws up a time schedule for its sport in the Olympic Games
- Approves technical aspects and facilities for international meets and the Olympic Games
- Sanctions all international competitions in its sport including world championships

The international federation in a given sport is solely responsible for recognizing new member countries and accepting a specific organization as its affiliate in any country. Some federations require that an organization seeking recognition as an affiliate must first be approved by its country's "highest sports authority," others ask approval by the national Olympic committee and others simply reserve the right to make an independent decision regardless of approvals. In almost all countries around the world this is not a problem because their amateur sports structures provide for all active organizations in a sport to belong to the governing body and since there are no seriously opposing factions with equal power. In the United States, however, there have been numerous instances of competition for this recognition or "franchise" that is granted by an international sports federation.

In addition to this power to dictate, in some cases, who is to be the national affiliate, the international federations influence the domestic sport system in other important ways:

- By setting rules of international competition that may be different from those in common use in the U.S., such as in basketball, shooting and wrestling
- By appointing judges and referees for international competition who come from member country affiliates
- By sanctioning international competitions

2. THE U.S. AMATEUR SPORTS SYSTEM RELIES HEAVILY ON THE EDUCATIONAL SYSTEM

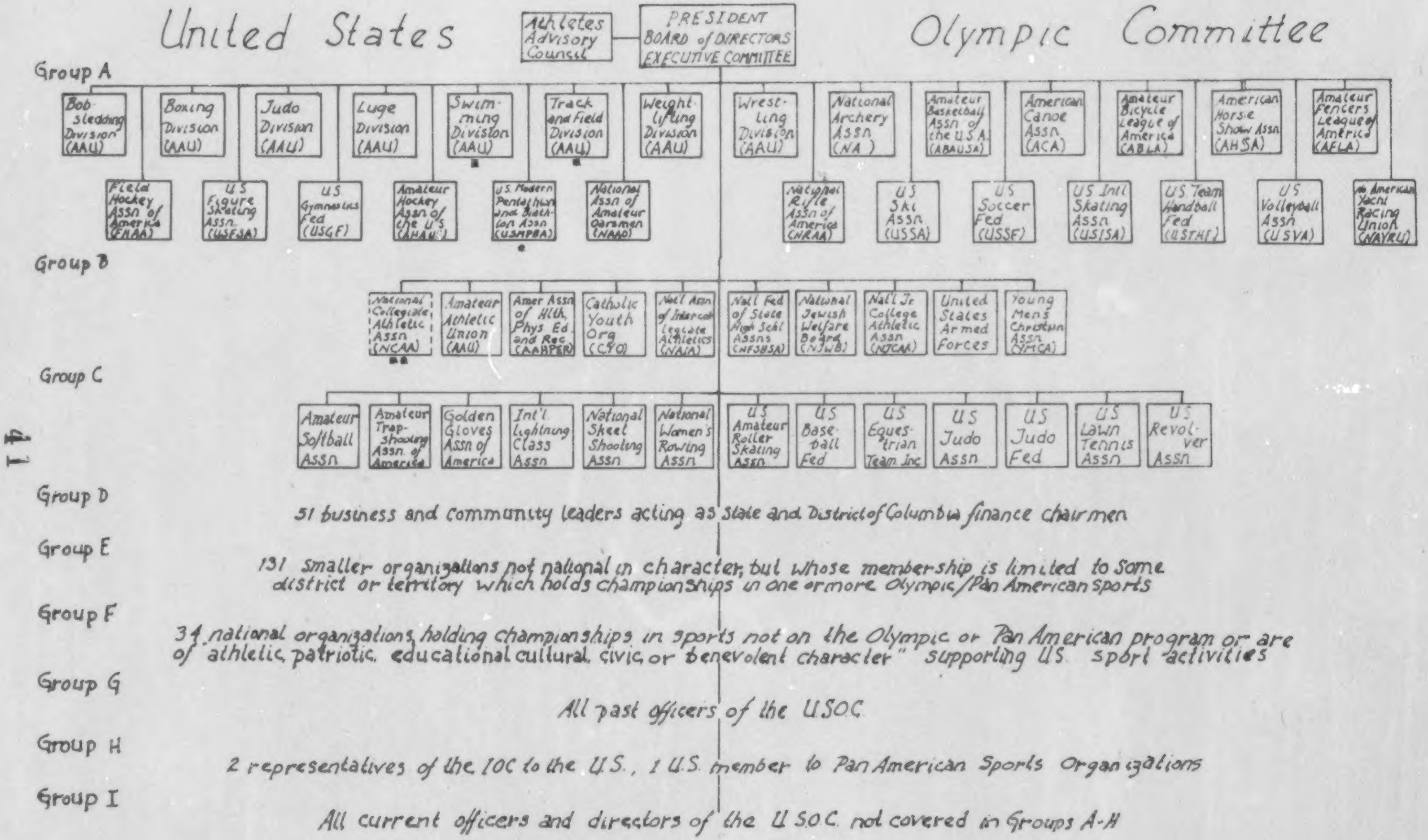
The structure for amateur sports as a whole in the United States is ill-defined. While there is a structure in place for international, elite-level competition, it often operates at cross purposes to the rest of the structure for domestic competitions. This is due, in large part, to the nature of the overall sports system as it centers around the role played by educational institutions -- both collegiate and lower level. To understand how the system actually operates it is important to keep in mind that the educational system "produces" most athletes in the U.S., while non-educational organizations take responsibility for giving athletes the opportunity to compete in international competitions. This fact alone gives rise to much of the organizational strife seen in the system at present.

(1) The United States Olympic Committee Is the Recognized National Olympic Committee in This Country

National Olympic committees, operating under "franchise" of the IOC, are required to select, organize, train and enter athletes for the Olympic Games. IOC rules state that they must be independent organizations free from political, religious and commercial control. Membership on the NOC's varies from representatives of a country's national sports governing bodies only to virtual total representation of a country's amateur sports community. The USOC is an example of this latter approach.

Exhibit I, following this page, depicts the organizational

EXHIBIT I


United States Olympic Committee
Athletes Advisory Council
PRESIDENT
BOARD of DIRECTORS
EXECUTIVE COMMITTEE
Group A
Bob-sledding Division (AAU)
Boxing Division (AAU)
Judo Division (AAU)
Luge Division (AAU)
Swimming Division (AAU) *
Track and Field Division (AAU) *
Weight-lifting Division (AAU)
Wrestling Division (AAU)
National Archery Assn (NA)
Amateur Basketball Assn of the U.S.A. (ABAUSA)
American Canoe Assn (ACA)
Amateur Bicycle League of America (ABLA)
American Horse Show Assn (AHSA)
Amateur Fencers League of America (AFLA)
Field Hockey Assn of America (FHAA)
U.S. Figure Skating Assn (USFSA)
U.S. Gymnastics Fed (USGF)
Amateur Hockey Assn of the U.S (AHAUS)
U.S. Modern Pentathlon and Biathlon Assn (USMPBA) *
National Assn of Amateur Oarsmen (NAAO)
National Rifle Assn of America (NRAA)
U.S. Ski Assn (USSA)
U.S. Soccer Fed (USSF)
U.S. Int'l Skating Assn (USISA)
U.S. Team Handball Fed (USTHF)
U.S. Volleyball Assn (USVA)
No American Yacht Racing Union (NAYRU)
Group B
National Collegiate Athletic Assn (NCAA) **
Amateur Athletic Union (AAU)
Amer Assn of Hlth, Phys Ed and Rec (AAHPER)
Catholic Youth Org (CYO)
Nat'l Assn of Intercollegiate Athletics (NAIA)
Nat'l Fed of State High Schl Assns (NFSHSA)
National Jewish Welfare Board (NJWB)
Nat'l Jr College Athletic Assn (NJCAA)
United States Armed Forces
Young Mens Christian Assn (YMCA)
Group C
Amateur Softball Assn
Amateur Trapshooting Assn. of America
Golden Gloves Assn of America
Int'l Lightning Class Assn
National Skeet Shooting Assn
National Women's Rowing Assn
U.S. Amateur Roller Skating Assn
U.S. Baseball Fed
U.S. Equestrian Team Inc
U.S. Judo Assn
U.S. Judo Fed
U.S. Lawn Tennis Assn
U.S. Revolver Assn

Group D

51 business and community leaders acting as State and District of Columbia finance chairmen

Group E

131 smaller organizations not national in character, but whose membership is limited to some district or territory which holds championships in one or more Olympic/Pan American sports

Group F

34 national organizations holding championships in sports not on the Olympic or Pan American program or are of athletic, patriotic, educational, cultural, civic, or benevolent character" supporting U.S. sport activities

Group G

All past officers of the U.S.O.C.

Group H

2 representatives of the IOC to the U.S., 1 U.S. member to Pan American Sports Organizations

Group I

All current officers and directors of the U.S.O.C. not covered in Groups A-H

* Each of these governing bodies has twice the votes of any other governing body

** In 1972, the NCAA and related organizations such as USWF and regional athletic conferences (i.e. PAC-8, Big 10, etc.) withdrew from the USOC structure of the USOC. The USOC has nine classes of membership, Groups A through I. Responsibility for setting policy and directing its implementation rests with a Board of Directors, and Executive Committee and an Athletes' Advisory Council. Day-to-day management is provided by a small, full-time professional staff.

The nine membership groups are as follows:

- Group A consists of the national sports federations that are affiliated with and recognized by their international counterparts in the Olympic sports. There are 20 separate organizations which control 28 sports. The AAU is the only organization which controls more than two sports. These federations, with the approval of their international federations, govern all international and "open" competition in which American athletes participate
- Group B is comprised of 12 sports organizations including the four branches of the Armed Forces, which generally hold national championships in two or more sports, or which have a national constituency. Normally, there would be at least one more organization in this category -- the National Collegiate Athletic Association. However, the NCAA and several closely-associated athletic conferences and coaches associations withdrew from the USOC after the 1972 Olympic Games
- Group C consists of 13 national sports organizations which administer nationwide programs in one sport on the program of the Olympic or Pan American Games
- Group D includes 51 independent business and community leaders, one representing each state and the District of Columbia, who act as state fund-raising chairmen
- Group E includes 125 smaller organizations in the U.S. that are not national in character and are limited in membership to a district or territory; 57 Group F members are local or state AAU's. This group also includes the various regional college athletic conferences, except for those which followed the NCAA's lead in withdrawing from the USOC

- Group F consists of 34 organizations of an "athletic, patriotic, educational, cultural, civic or benevolent character..." which support U.S. sports activities
- Group G is made up of all past officers of the USOC
- Group H includes the two IOC members to the United States and the U.S. representative to the Pan American Games
- Group I includes all current officers and directors of the USOC not covered in Groups A through H

The Board of Directors for the USOC is selected from among Groups A-C. The Executive Committee is selected by the Board of Directors and discharges the functions of the Board on its behalf between meetings of the Board. The many organizations which belong to the USOC function together at the time of the Olympic Games to assemble our Olympic teams. Each organization also operates independently in the conduct of amateur sport(s) under its jurisdiction or in its field of interest.

(2) The USOC Has Assumed a Leadership Role in U.S. Amateur Sports

The USOC derives its authority to be a national Olympic committee from the IOC, which recognizes it as such, and from the U.S. Congress which has chartered it and given it certain exclusive privileges and duties. While these authorities clearly grant the USOC the exclusive franchise to select, equip, train and enter athletes in the Olympic and Pan

American Games and to raise money from the public to do the same, the authority granted by Congress extending to other activities the USOC might engage in is vague at best.

Because there is a leadership void in amateur sports and because fund-raising efforts of the USOC have been successful beyond minimum requirements to outfit and transport athletes to Olympic and Pan American competitions, the USOC has expanded its role in U.S. amateur sports to encompass leadership -- albeit without specific authority -- in policies, practices and funding of different aspects of amateur sports in this country.

Three areas demonstrate this role expansion:

- Development

  Working from the reasonable premise that development of skills is a key part of the process that gives our athletes their best chance to compete effectively in the Olympic and Pan American Games, the USOC has in recent years granted development funds to its Group A members -- the national sports governing bodies -- to finance pre-determined development needs in their sports

  In so doing, the USOC has been filling a resources gap in most sports and an organizational void in many

- Athlete's Bill of Rights

  In response to instances of an athlete not being allowed to compete when, where and/or for whom he chooses, the USOC adopted a "bill of rights" into its constitution to provide for binding arbitration by the American Arbitration Association in cases of dispute between athletes and USOC member organizations

  While many athletes believe this measure does not fully protect them and many organizations believe the measure goes too far in favor of the athletes, the measure is an example of the USOC demonstrating leadership even though it has no specific authority either to do so or not to do so

- Athletes' Advisory Council (AAC)

  Also in response to athletes' demands, the USOC has made concerted efforts to allow for some, as yet ill-defined, athlete involvement in its management and operations through establishment of an AAC and membership on its Board of Directors. Further, it has encouraged member organizations to do the same although it is not clear that it has the authority to make it mandatory

  Again in this instance, the USOC has responded to an important issue. However, its response has been muted to some extent because it lacks a clearly defined authority to do so

The issue underlying this discussion is not the effectiveness with which the USOC has dealt with these expanded areas, but rather the fact there have been areas of need not being and not readily capable of being satisfied by any current organization in a consistent manner across the whole system. The USOC, while perhaps the pre-eminent U.S. organization involved in international competition, simply does not now have the specific authority to deal with such issues on behalf of the entire system. Neither does any other organization in the system.

(3) National Governing Bodies in Different Sports Have Wide-Ranging Responsibilities

At a minimum, national sports governing bodies in their individual sports:

- Are recognized as the ultimate authority for conduct of all open competition within a country

- Control the eligibility of athletes for open competition
- Arrange all international competitions held within a country except for the Olympic Games
- Conduct national championships
- Appoint representatives to the national Olympic committee
- Appoint representatives to the international sports federations

The role of national governing bodies in the U.S. varies widely according to the sport. Three sports which characterize the extremes and the middle of the range are figure skating, basketball and shooting, respectively.

In the sport of figure skating, there is essentially one organization which conducts programs in the sport, the U.S. Figure Skating Association. This organization is also the governing body in the sport. It assumes primary responsibility for recreation, development, training and competition in the sport. There are no major dissenting or conflicting organizations -- perhaps because figure skating is not typically part of educational sports programs. At the local level, there are the public and/or private facilities where skating is encouraged in a recreational sense, and the private club, through which development and training activities are actually implemented.

Basketball is at the other end of the spectrum in terms of the role played by the national governing body.

While the American Basketball Association of the U.S.A. is recognized as the governing body and does select and train Olympic and Pan American teams, it does not conduct or coordinate developmental or training programs. Primarily, this is done by the educational institutions -- high schools and colleges.

Shooting is one example of many sports that fall somewhere between the previous two cases. The National Rifle Association is the governing body in the sport, yet it is an organization whose primary mission is not exclusively devoted to amateur sports, and is very active in sponsoring and coordinating developmental programs in rifle shooting. It does very little in promoting pistol or shotgun shooting -- which are two of the three Olympic and Pan American events in shooting. It directs most of its programs and competitions under national rules which are in some events substantially different from international rules. As a result, there are several major and other minor organizations that are more active than the governing body in promoting international shooting in the U.S. The National Skeet Shooting Association and the American Trapshooting Association are in control with regard to shotgun shooting, with the U.S. Revolver Association overseeing programs in pistol shooting. The military also plays an important role in shooting. Independent of these national organizations at the state levels, the military has built and maintains facilities that meet international specifications, trains its personnel in international-style shooting and provides opportunities and equipment for shooting to athletes who are in the military.

These examples demonstrate the wide-ranging differences in the national roles played by sports governing bodies. Factors which prevent U.S. national governing bodies from assuming complete control for programs in their sports are:

- Amount and nature of "restricted" competition in a given sport -- that is, "restricted" in the sense that all competitions must be under the same jurisdiction. Governing bodies do not control competition or programs of organizations which are not its members nor do they always control the restricted competition of its members
- Membership -- that is, there is no requirement for an organization involved in a given sport to be a member of the national governing body
- Amount of resources -- money, personnel and facilities -- available to it to conduct its own programs

(4) Numerous Non-Sport Organizations Conduct Sports Programs in the United States

There are numerous organizations in the United States which have jurisdiction over competitive programs in several sports. These multi-sports organizations are associations with memberships of religious groups, social ethnic groups, community groups, charitable groups, sports clubs, educational groups and institutions, and military forces. These associations, which have Group B membership in the USOC because they hold national championships in two or more sports, or have a national constituency, are:

- Three religious groups
- Four branches of the U.S. military
- Three educationally oriented groups; four, if the NCAA, a former member of this group,is included
- One association of health, physical education and recreation that is also basically educationally oriented
- One group -- the AAU -- that is exclusively oriented to amateur sports

An athlete who is a member of any club, group or educational institution is under the jurisdiction of the multi-sport organization to which that body belongs. For example, a college basketball player who is a student at the University of Michigan is under the jurisdiction of the NCAA. What this means in practical terms is that the basketball player can compete in an event only with the explicit permission of the NCAA. There are two types of competitions that the athlete may enter: restricted and open international. Any competition scheduled between or for members of the NCAA is considered "restricted" and it must be approved in advance by the NCAA. Any scheduled competitive event in which athletes from more than one jurisdiction such as NCAA or the National Association of Intercollegiate Athletics are invited to participate is an "open" competition. If foreign athletes are invited to participate in an open competition, then it becomes international competition. Open and international competitions must receive prior sanction by the national governing body in the sport.

The multi-sport organizations, USOC Group B members and the NCAA and their members, operate the vast majority of sports programs in the U.S. There are two types of problems existing within this group: nature of the organizations and range of the sports programs offered.

The nature of the multi-sports organizations produces an inherent conflict: organizations which are not exclusively devoted to amateur sports may pursue organizational goals that are in conflict with the needs of individual athletes. For example, since the basic mission of the military is national defense, organizational resources to fulfill this mission are overriding in regard to any sports program it may run. This may cause erratic funding for sports programs, abrupt changes in assignment for military athletes and the like.

The sports programs offered by the multi-sport organizations are not evenly distributed. A useful way to look at these organizations is to categorize them as educationally affiliated and non-educationally affiliated. The school programs have focused on competitive programs at the secondary and collegiate levels in some, but not all sports. Non-school programs were started, in most cases, to fill certain voids existing in school sports programs. These voids have been created in the schools due to inadequate or non-existent facilities, lack of coaching capability, lack of financial support or lack of interest for whatever reasons. In a few sports, school and non-school groups both run major programs. Since the lines of demarcation are not clear, competition between organizations for athletes has arisen.

The most striking fact about these two subsystems that operate sports programs is not that they occasionally overlap, but that there are gaps in their coverage of both sports and athletes. Sports with high-cost facilities and little commercial appeal, such as bobsled and luge, are virtually nonexistent in the U.S. system. A sport such as men's field hockey is largely ignored perhaps because it traditionally has been a women's game in this country and is perceived as such. Soccer is only now becoming popular even though it is an inexpensive sport and holds world-wide appeal. The question of why these factors have been permitted to impede development of these sports in the U.S. is an important one to consider. The reasons may be that the U.S. has had limited leadership, limited resources and no national policy to provide direction and support.

Regardless of the organizational interest or primary focus, the organizations which actually conduct sports programs in this country have attempted to meet the following basic needs of athletes:

- Participation -- in many cases for all who desire to and, in some cases, for those who have relatively highly-developed skills
- Development -- both of the sport itself and of the athlete, if only the best athletes in the program

- Competition -- organizing and sanctioning actual competition between individuals and/or teams and providing competition officials
- Management -- providing the personnel to administer and organize the programs
- Finances -- either providing monies needed to finance the programs and/or coordinating the financial resources needed including collecting user fees and dues
- Standards -- developing rules and regulations defining the competition, behavior, eligibility and amateur status of athletes
- Facilities -- arranging for the use of facilities, and sometimes, equipment needed for training and competition

While the organizations conducting sports programs have had positive impact in all these areas, each of these needs has not been fulfilled in the manner to which it could and should be. The following section describes why this has not been done.

3. AN ATHLETE-ORIENTED, NATIONALLY-COHESIVE AMATEUR SPORTS SYSTEM IS VIRTUALLY NON-EXISTENT IN THE UNITED STATES

Preceding sections of this chapter have implied the existence of certain problems in the nature of the current amateur sports system in this country. This section is a review and discussion of organizational problems as well as an examination of how and why identified needs are not being met in a satisfactory manner.

(1) The USOC's Effectiveness Is Hampered by Limitations on Its Charter, Voting Structure and Size

The USOC lacks specific authority to be more than the organization that is responsible for the selection, equipping and sending of teams to the Olympic and Pan American Games. Its charter is specific only with regard to these functions. Yet, because it has more resources than it needs to fulfill this basic mission, the USOC has become a putative power in amateur sports -- sought after by some, ignored by others. It plays a leadership role indirectly through the funds it grants to those sports in which there is very little meaningful national competition such as bobsled, luge, men's field hockey and team handball. Its resources, while limited, can dramatically affect the fortunes of minor sports such as these. But, it has marginal impact on others except in regard to Olympic competition. Consequently, some organizations are very responsive to USOC's attempts to have wide-ranging positive impact on the whole of amateur sports and others are not. The fundamental problem is that the USOC charter does not give that organization a clear and specific mandate to act.

The controlling forces in any organization are determined by the way the voting strength is divided among the members. Voting power on the USOC is allocated to member organizations through a complex formula, which has given rise in the past to many questions regarding fairness and balance. For example, in Group E, the Alaska Association, which is the state Amateur Athletic Union (AAU) for Alaska, is not a major producer of Olympic athletes, has the same number of votes as the Eastern College Athletic Conference --

comprised of 210 Eastern colleges, which have produced numerous Olympic athletes. For another example, the AAU has one-third of the votes in Group A and approximately 27% of the votes in the total membership voting structure, 21% of the votes on the Board of Directors and 25% of the votes on the Executive Committee. No other single organization has nearly this much voting strength, which the AAU derives from its status as governing body in eight sports and membership in Groups A, B and E. In this instance, there exists a potential for one organization to exert influence over the voting within the USOC, particularly when it is a requirement that any amendment to the Constitution be passed by a two-thirds vote of the members. The large AAU bloc of votes also represents a potential barrier to organizations challenging the existing franchise holder in any one sport. This is one reason why the National Collegiate Athletic Association (NCAA) decided to withdraw from the USOC in 1972.

The USOC has more than 200 members in nine groups. This greatly exceeds the minimum membership required by the IOC, i.e., the governing bodies for Olympic sports only, and is a large and cumbersome structure. Apparently, the current structure has been created to maximize the numbers of people and organizations directly involved in the USOC and to avoid the issue of requiring organizations running major programs in a sport to be members of the governing body for that sport.

The Board of Directors was recently expanded from 65 to 81, while the Executive Committee was expanded from 21 to 50 members in December, 1974. This was done to involve more active organizations in the decision-making of the USOC. However, questions have been raised about the viability of these bodies having meaningful debate and rendering wise and representative decisions because of their size and the increased AAU representation on both boards.

Other complaints lodged against the USOC are results of restructuring provisions adopted by that organization at their biennial meeting in 1974. Included among these are the following:

- Adoption of an Athlete's Bill of Rights

  A Bill of Rights was adopted into the USOC constitution, providing for arbitration by the American Arbitration Association for disputes between athletes and USOC member organizations. Athletes in particular have questioned the provision in this bill -- the "notwithstanding" clause -- which retains the right of an educational institution or any USOC member to deny an athlete the right to participate or to attempt to qualify for participation in competition provided that a hearing is conducted prior to the event and it is determined that such participation would violate applicable amateur rules or would unreasonably interfere with the individual's academic, athletic or employment interests. The bill obviously provides some protection of athletes' rights, yet the charge has been made that the "notwithstanding" clause puts power back in the hands of the organizations

- Abolishment after the 1976 Olympics of Separate Games Committees for the Selection and Training of Athletes for the Olympic and Pan American Games

  After the 1976 Games, the national governing bodies will have the responsibility for selecting and training teams for the Olympic and Pan American Games. The reasons were administrative, but result in greater functional responsibilities for the national governing bodies. This provision replaces the "Sulger Amendment," repealed at the 1974 Orlando, Florida meeting, which required that the majority of votes on each sports committee be reserved for the governing body in that sport. The new provision has provoked certain criticisms, however. The NCAA has scored the maneuver as putting "exclusive power" and "total domination" in USOC affairs in the hands of the 20 organizations which now hold the international franchises. Conversely, the USOC argues that the abolition of the Sports or Games Committees makes administration of each sport much simpler and allows better liaison between the USOC as a whole and each of the sports, without the intermediary control of a Games Committee

- Repeal of the Greenbriar Amendment

  The "Greenbriar Amendment" passed in 1971 required a challenging organization to have a two-thirds, later a majority, vote of approval by the Board of Directors of the USOC before presenting its case to the international federation for admission as a governing body. This, too, was repealed at the 1974 Orlando meeting, but only after opponents had argued for three years that the amendment was motivated by an effort to prevent new franchise-holders from gaining international recognition and violated international regulations empowering the international federations alone to rule on the suitability of applicants for recognition. A new set of procedures has been established for a challenging organization to follow. Supporters claim this is a fairer system as it allows the challenging and incumbent organizations to appeal to the American Arbitration Association if denied the franchise in the sport and involves a minimum disruption since a claim can only be made within one year after the termination of the summer Olympic Games. Opponents claim that the new procedures are more restrictive than under "Greenbriar" since an organization can challenge the existing franchise holder only once every four

> years; the burden of proof is on the challenger; and even after a decision that the incumbent organization has defaulted on its performance of obligations, provisions allow that "it shall not be denied its international membership if it agrees to fulfill those obligations within a reasonable period."

It is noteworthy that all of the restructuring initiatives began during and after a flurry of Congressional legislation and activity in 1973 and 1974, designed to achieve a similar end. However, it remains to be seen how many of these provisions will be implemented in actual fact and how many will achieve the desired end. In particular, the ability of the USOC to deal in the future with problems that have recurred in the past is presently a matter of speculation.

(2) Most National Governing Bodies Are Not Effective as Leaders in Their Sports

National governing bodies, because they generally do not have the financial resources nor the total membership of organizations which conduct programs in their sports, have been ineffective in providing leadership in their sports. Many governing bodies are shoestring operations -- operating without paid, professional managers and adequate support services. Also, in the absence of explicit requirements to do so, many organizations choose not to be members of a governing body for their sport(s). They therefore are not obligated to follow the leadership that is or could be provided by a governing body in developing a sport, monitoring and satisfying the needs of athletes, developing common rules and standards and so on. If national governing bodies are to be effective leaders of their sports, they need the resources to do so and the authority to require organizations with programs in their sports to be members and to help formulate and implement the direction of the policies of the national governing bodies.

(3) Organizations Which Conduct the Vast Majority of Sports Programs Are Not Necessarily Responsive to the System as a Whole

The purpose for any organization is to establish and accomplish goals and to satisfy needs that are intrinsic to its basic endeavor. As described in the preceding section, most organizations that conduct programs in which athletes routinely participate and compete are dedicated primarily to purposes other than amateur sports. Even some organizations that ostensibly are devoted to amateur sports are actually devoted to holding restricted competitions for the benefit of their organization rather than of purely amateur sports. While these organizations do contribute greatly to any amount of well-being there is in the current amateur sports system, they sometimes unintentionally harm the overall system, since by their very nature they must respond to their own goals which can conflict with goals for amateur sports in general.

For example, the rules applied to restricted competition can sometimes be harmful to the needs of individual athletes. The NCAA has regulations which place limits on the size of the squads member teams can have while competing against one another. While the intent of this limitation is apparently to reduce costs -- a very reasonable intention and legitimate goals for the NCAA to pursue -- the regulation also serves to eliminate the marginal athlete from competition and participation. Similarly, limitations on the number of athletic scholarships; the number of recruiting trips; out-of-season practice and playing prohibitions -- e.g., limitations on the number of days in training in the off-season, prohibition of more than two basketball players from one school team from playing on the same team during the summer when school is out of session -- are reasonable attempts to equalize the level of competition between member schools. However, in so doing, the regulations work against the best interests and needs of the athlete to continue his development.

The NCAA is not alone in this. This conflict with basic mission is perhaps best seen with regard to public school sports programs

School sports programs have tended to emphasize already popular, mass participation sports such as basketball, baseball and football for their competitive and physical education programs. Also, emphasis has been placed frequently on producing highly competitive, "winning" teams, thus promoting the development of only a few athletes. School systems have not been particularly innovative in their overall approach to amateur sports even though they have recognized that there is an important value to including a range of sports in their programs. It appears that mainly the popular sports have been taught because public schools believed they could not "afford" to do otherwise; in other words, they offer sports that the public appears to want, because they are on shaky ground in defending their use of tax dollars in an area that is not their primary mission or focus. The consequences are that many would-be athletes either have not been able to participate in the sport of their choice or have not been exposed to sports in which they have been able to participate. Also, a large number of sports have suffered because they have not been able to gather support from the most pervasive institution in American life, the educational system.

Besides internal conflicts, organizations have conflicted with one other in their sports programs. The NCAA/AAU clashes are well-known. These disputes have involved whether or not athletes of one group can compete against athletes of another group, sanctioning of events, scheduling conflicts, television rights and many other issues. They are caused by both the ways in which various organizations construe their role and mission and the lack of a national authority -- which could arbitrate or have the power to solve such disputes but, more importantly, could prevent them from happening by clearly defining roles of lesser organizations and policies for all organizations to follow in reference to the whole of amateur sports.

(4) The Amateur Sports System Is Not Fully Responsive to Needs of Athletes and the Public

Because the system for amateur sports in this country has been ill-defined and is without national focus, areas of need in addition to those that are organizational in nature are not being met as well as they might be otherwise. These areas were identified in Section 2 of this chapter. The following is a more detailed discussion of those needs from the perspective of the athlete and the public.

The management of amateur sports is accountable to the public

That those who manage or administer amateur sports should be interested, responsible persons is self-evident. What is not so evident is that amateur sports do not exist only for the pleasure and benefit of those persons who control them. Nor, for that matter, do amateur sports exist only for those who compete, coach or officiate in them. Rather, amateur sports are in the public domain and exist for the enjoyment of everyone -- participants and non-participants alike. This concept is amply demonstrated in reference to international competitions where teams or individuals represent the United States of America. In so doing, representation is made on behalf of all the people of our country -- not just those who participate in amateur sports, or even those who are, in any way, interested in amateur sports. Further, international level competition is a part of, not separate from, a continuum of amateur sport, ranging from the most basic exposure to a sport to elite level competition such as the Olympic Games.

Additional evidence that amateur sports is in the public domain is the vast amount of support given to amateur sporting events; the public, through its government at all levels -- local, state and federal -- has built and maintained facilities for use in amateur sports throughout the country. While this support has been fragmented and is possibly less than what has been needed, the public has provided support of such extent to amateur sports that otherwise amateur sports in the country would not be as developed as they are now.

In today's society, accountability means ensuring against misfeasance as well as malfeasance. It is interesting to note that in amateur sports today the only groups who are accountable for poor performance on a regular basis are athletes at all levels of competition and, to a lesser extent, paid coaches and paid competition officials.

For these reasons, those who manage and administer amateur sports are accountable to the public for how well they do their jobs.

Financing for amateur sports should and does come from all elements of America -- public and private

At the present time, money for amateur sports in America comes from a variety of sources. While private funds are used to send our athletes to the Pan American and Olympic Games, most, if not all, athletes who represent our country in international competition have, at one time or another, trained and competed in facilities paid for and supported by public funds. As in many other areas in our society, both public and private funds are relied upon as sources of funds. Briefly, financing of our amateur sports system has depended on:

- Public monies for building and maintaining facilities
- User (participant) fees
- Donations from private individuals and corporations to send teams abroad
- Spectator fees, television money and other revenues from a few major sports to support a variety of sports
- Public monies to pay for coaches and programs in public secondary schools and colleges
- Time donated by volunteers

Not only do funds come from a variety of public and private sources, they are also spent by an overwhelming number of organizations on sports programs. Thus, not surprisingly, the system of financing amateur sports is haphazard, ill-coordinated and subject to many discretionary whims of society at large.

The current status of the financial affairs of amateur sports is but symptomatic of the larger problem: the lack of a well-defined, well-coordinated structure for amateur sports. Before the apparent monetary gap in amateur sports is filled, all the sources of funds for amateur sports must be fully identified. Within the federal government, as an example, there is vast amount of funds being spent on sports although it is being done by many different agencies including the Department of State and the Armed Forces. To optimize the use of these funds, each organization within a sport should clearly articulate its needs for funds -- which it can only do through planning what its resource and operational requirements are going to be for future specified periods of time. Until needs are realistically determined and matching sources of funds identified, accomplishments will be haphazard at best.

Participation in amateur sports is an opportunity that is not now open to as many as it could be

Few would challenge the goal of encouraging mass participation in sports. Foremost among its benefits, sports can provide a healthy outlet to individuals that may not have such an outlet available to them in other areas of their lives. A responsive, giving society such as ours does provide opportunities for its citizens that enable them to enrich their lives in areas beyond those considered to be duties and obligations. Participation in amateur sports is certainly within the American concept of opportunities for all. Nonetheless, defining what the boundaries of that opportunity should be is often troublesome.

At the very least, opportunity to participate means that those who wish to participate in a given sport will not be discriminated against because of race, religion, creed or national origin. Further, discrimination cannot be allowed for reasons of age or sex except in those rare instances -- which should be strictly and narrowly defined -- in which personal safety or the particular nature of a sport are the issues. This definition of opportunity to participate finally seems to be generally accepted. However, defining the right to participate becomes infinitely more difficult when put in terms such as:

- Does the opportunity to participate mean that the economic cost of participating be reasonable in terms of the participant's ability to pay?
- Is opportunity being equalized simply because facilities and resources make basketball an accessible sport to nearly all while skiing is accessible to very few because the sport's facilities and coaching resources are almost exclusively private and therefore available only at a price?
- Should the opportunity to participate in "minor" sports be the same as it is for "major" sports? Has, in fact, the difference in opportunity to participate created the distinctions between major and minor sports?

- Does opportunity mean that winter sports such as luge, bobsled and skiing must be made available to those living in warmer climates that are not naturally conducive to such sports?
- Who is responsible for providing the facilities -- without which participation is a moot question?

The definition of opportunity to participate involves therefore a basic equity question that provides the underpinning to the entire area of amateur sports.

Amateur athletes do not have the right to compete when and against whom they desire

The International Olympic Committee and the international sports federations all emphasize that an amateur sportsperson is one who participates for love of the game, for the joy and fun of competing, for the delight of physical expression. In its statement on Olympism, the International deCoubertin Committee states that the "Olympic sportsman fights for his pleasure, for honour, for himself, for the benefits he can reap throughout his life from healthy habits giving simple joys, within the reach of everybody." Given these expressed concepts of amateurism, it seems clear that the "rights" of an athlete to compete, when, where and for whom he desires should be inviolate.

In America today, however, amateur athletes are denied these rights in principle. The NCAA, while denying that the athletic scholarship is a contract, exercises arbitrary control over where, when and for whom an athlete may participate and compete. This denial of rights is apparently done to enforce a perceived moral obligation of the athlete to compete for the organization that has helped meet his needs as an athlete, as well as to gain the benefits of his participation. The NCAA is not the only organization guilty of denying rights to an athlete: every level of organized sports and nearly every organization within a given level is similarly guilty -- from the Little Leagues to the AAU. Part of the problem is that because there are so many organizations which compete for the services of athletes, each feels that it must create and enforce restrictive rules and regulations which effectively serve to limit an athlete's right to participate. Each organization tends to believe that it owns the athletes it is serving. Each believes that its athletes "owe" the organization something which must be paid in full by surrender of certain rights to it.

There is, of course, another side to the question of an athlete's rights. That is, what obligation does an athlete have to an organization which has met his basic needs to participate, develop and compete and, most importantly, how does an athlete discharge any such obligations? This notion is ill-defined -- because it closely impacts on the meaning and spirit of amateurism, especially in reference to collegiate athletic scholarships, and because it is clearly to the advantage of the organizations which administer and manage amateur sports to continue the obfuscation.

By controlling the athlete, sports organizations have been able on occasion to use the athlete as a pawn in their own competitions for power, importance and money. The legitimate role for organization and structure in amateur sports has been perverted as organizations have made themselves more important than the athletes and sports that they are supposed to serve.

Development of sports and athletes is an obligation of those organizations and people who administer sports

The idea of "development" in sports has frequently resulted primarily in the institutionalization of the organizations which administer various sports in this country rather than the institutionalization of the sports themselves. For example, in amateur basketball today, the premier national championship is the NCAA Basketball Championship. Similarly, the premier swimming championships are the AAU National Championships. Because administrators have emphasized development of their own organizations, we have been left with a few "major" sports and a host of "minor" sports. "Developing" a sport itself is the first step to attracting and developing athletes.

It is apparent that each amateur sport in this country needs a development plan from which to operate so that all elements of the sport can be addressed by those who administer and manage that sport. Yet, at the present, no one organization has the authority and/or resources to prepare and implement such a plan.

The specific need for developing an individual's sports skills, however, must not be used as an excuse to limit participation by successively "selecting out" those who have lesser amounts of talent to be developed. Athlete development means that the skills an individual has should be developed to the extent the individual, and not the sports organization administering the development, desires them to be developed. Such development should be occurring at all levels or points on the sports continuum ranging from the casual pick-up competition level to the elite competition level.

The problem of "over development" in some sports is most clearly illustrated by the status of amateur basketball in our country today. The system turns hundreds of thousands of high school players into thousands of college players into hundreds of professional players. At all levels, those cast aside either can cease to play basketball or are reduced to casual, pick-up game level competition -- the most basic, unorganized level of the sport. The leaders of amateur basketball in this country may have succeeded in developing the skills of those few who play professional basketball but they have failed many of the potential players in this country by not continuing to develop at least some of these players' skills and by not providing them the opportunity to participate in an organized fashion in basketball or some other sport which might interest them.

Access to appropriate facilities for training and competition is a requirement for a successful amateur sports program

Development and participation in sports is, of course, limited by the facilities available. Inconsistency seems to best characterize the overall status of our athletic facilities: in some sports, there is a richness in quantity and quality alike; in others, there is a paucity. Given that there is a continuing need for building new facilities and for maintaining existing ones and that there will never be enough money at any time to satisfy all the demands, there are problems in this area:

- Access to and use of facilities is not being maximized. Nothing is more frustrating or counter-productive than to see a sports facility standing idle -- for whatever reason
- Facilities owned and operated by the public are not being made available to the broadest segment of the public possible. Many sports facilities are owned and operated by school systems; yet, many are not accessible to the public at large at non-conflicting times
- Facilities are controlled by organizations for their own purposes -- not necessarily for the benefit of sports as a whole

- Some facilities are built in such a way as to discourage mass participation rather than encourage it

- No one is coordinating the need for new facilities within a sport and among sports

- New facilities are built without reference to the needs for such facilities within a community and often are duplicative of other facilities

- Facilities are not being built for sports that are not on a school program and cannot find private sponsorship

There is a need for uniformly drawn and applied standards in amateur sports

The vast array of organizations involved with amateur sports in the United States has led to an incredible variety of standards as to competition, eligibility, behavior and amateur status. Unfortunately, this is in part reinforced at the international level by both the International Olympic Committee and by the international sports federations -- each of which sets its own, often conflicting standards. This situation leads to confusion, misinterpratation and unpleasant incidents for those who are most affected: the athletes.

Most of the standards-setting is done under the guise of "protecting" athletes. Yet, in so doing, it often seems that the athletes are required to give up some rights in order that those few remaining might be thus protected. In reality, it appears that standards are set to ensure that:

- Competition is "fair" between competing organizations
- Fees be paid to organizations
- Societal, ethical and moral standards are enforced
- Behavioral taste and style standards are enforced such as length or style of hair
- Control, power and discipline over the "product," i.e., the athlete, are maintained and strengthened
- Ill-defined concepts of "amateurism" are enforced

It appears that the necessity to distinguish between "amateur" and "professional" is the underlying, albeit unintentional, cause that allows standards to be set for the reasons listed above. Just as in the "rights of athletes" issue, the power to distinguish between amateur and professional gives administrators a power to create and enforce standards that can be arbitrary, unnecessary and needlessly distasteful to participants.

Standards are needed only to the extent that they facilitate and clarify competition and participation. To be sure, "amateurism" must be defined and standardized within a given sport in accordance with international rules and regulations. But, standards should be developed and enforced in terms that satisfy needs of athletes for fair participation and competition.

* * * * *

Amateur sports in the United States today are fragmented without purpose and are fraught with internal competition for participants, funds and public awareness. A mechanism which pulls together these competing forces and channels their energies towards common goals is sorely needed. The next section describes how other countries have organized and developed their amateur sports systems to better limit, prevent or eliminate these problems and to deal with the needs of athletes on a coordinated basis.

III. AMATEUR SPORTS SYSTEMS IN OTHER COUNTRIES

III. AMATEUR SPORTS SYSTEMS IN OTHER COUNTRIES

The structure of American amateur sports described in the previous chapter is an anomaly to other nations. Other countries generally have been more orderly, logical and methodical in devising their sports systems. As a result of superior training and organization in many cases, an increasing number of countries -- with considerably smaller populations, resources, scientific equipment and know-how -- are able to marshall their athletic talents and compete favorably with the United States sports colossus.

The fact that the United States is not the dominant sports power internationally any longer -- and never has been in many sports -- should not invite ready imitation in trying to resolve the many problems mentioned previously. However, it is valuable to note one factor which is almost universally present in other countries -- a highest authority for sport -- and to mention the benefits that accrue from having an integrated system with a highest sports authority at the top of a vertical structure.

The topics covered in this section include:

- Organization and management of foreign sports systems
- Mass participation
- Development programs

- Financing
- Facilities
- Competition

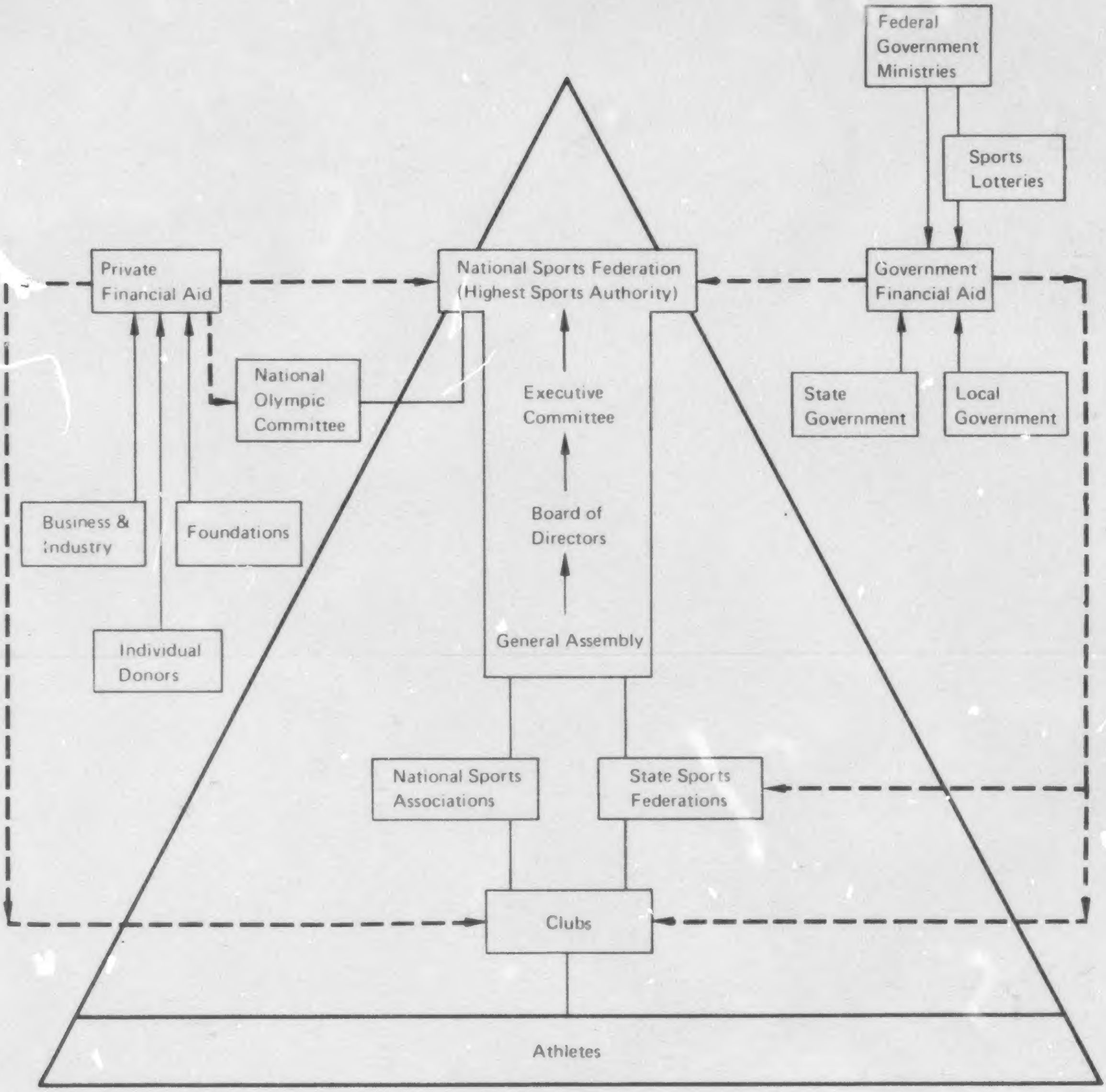
1. A SINGLE ORGANIZATION IS IN CHARGE OF AMATEUR SPORTS IN MOST COUNTRIES

In most other countries, the questions "Who is in charge?" and "Who is accountable for amateur sports?" are answered easily and singularly. The U.S.S.R., Canada, most Eastern and Western European nations and certain emerging countries have a single, ultimate authority at the apex of their amateur sports system.

A typical model of how other nations have structured their amateur sports system is shown in Exhibit II, following this page. The model is a composite of several European countries' sports organizations. In each, the base of athletes are discovered, developed and coached within a club system which feeds into state or regional federations and national sports associations which comprise a vertical, unified and representative structure. The regional federations are responsible for overall sports planning, development, promotion of facilities and other related tasks at that level. The national sports associations -- sometimes there are regional or state associations as well -- develop policies and plans for specific sports. At the top is a national federation of sports which is the final authority on all sports matters. The national federation assists the national Olympic committee whose responsibility it is to oversee the selection and equipping of an Olympic team every four years. Both groups generally receive

EXHIBIT II

Composite Model of European National Sports Systems


Federal Government Ministries
Sports Lotteries
Private Financial Aid
National Sports Federation (Highest Sports Authority)
Government Financial Aid
National Olympic Committee
Executive Committee
State Government
Local Government
Business & Industry
Foundations
Board of Directors
Individual Donors
General Assembly
National Sports Associations
State Sports Federations
Clubs
Athletes

considerable financial support from the national government and from private sources. Local sports clubs and state sports organizations also receive public and private support of various kinds. The government department(s) for youth and sport usually is in charge of broad-ranging youth and recreation programs -- and is not responsible for nor involved in policies for competitive sports.

In Great Britain, East and West Germany, Sweden and the U.S.S.R., a non-governmental sports federation or national sports council serves as the highest authority in amateur sports. In Belgium, the national Olympic committee serves as both the highest sports authority and organizer of its Olympic teams. Usually, however, in most countries the national Olympic committee is a separate organization from that of a highest authority. The Canadian model is different in that the Fitness and Amateur Sport Branch within the governmental Department of Health and Welfare acts in concert with the private National Sports and Recreation Centre to serve as the highest authority.

Regardless of organizational location, however, the power of the highest authority to plan and to execute long-range sports programs is well-defined in most countries. While day-to-day decisions and technical matters involving particular sports are left mostly to the individual sports governing bodies to deal with, the presence of and reccourse to a supreme sport authority, to which all sports groups are accountable, gives direction and focus to overall sports policies.

(1) There Are Distinct Advantages to Having a Coordinated National Program

When amateur sports are organized around a national plan, it means that:

- Some group is taking an overall look at the scope and direction of sports in general
- Someone is responsible for planning for the future
- A review system is available to deal with disputes among organizations or between athletes and organizations
- Weaknesses in certain sports programs are more readily apparent and more easily corrected
- So-called "minor" sports, i.e., in terms of public interest, exposure or ability to raise funds on their own, can receive a greater share of support
- Professional support services can be provided to all national sports groups
- Duplication of effort and unnecessary tasks are curtailed
- Sporting events and schedules can be coordinated with conflicts kept to a minimum
- Similar support and treatment are afforded to all international teams selected to represent the country
- A continuing dialogue can occur between government officials and designated sports spokesmen
- Amateur sports, speaking as a single voice, can command greater response from the public and the government

(2) The Government Role Is Well-Defined in Most Countries

Not only is there a sports authority in the private sector in most other countries, but the government has a well-defined interest, presence and role as well. In most cases, the government is the primary funding agent for amateur sports. A number of countries have government ministries or departments to handle youth- and sports-related programs. In West Germany and Canada, these departments even sponsor national sports games. Some countries use sport, sports training and team competition as tools to achieve tangible and intangible goals in foreign policy. Others have institutionalized sport within parliament by setting up legislative committees to deal with questions on sports. Governments have established federal centers and institutes for sport science and research. Moreover, state and local governments in other countries generally take an active role in funding and supporting sports facilities and development programs.

2

(3) Foreign Nations Support the Use of Full-Time, Professional Administrators for Sports

In West Germany and Canada the government pays the salaries for the professional staffs -- managers and technical directors -- for the major national sports groups. Without this support many amateur sports organizations could not raise sufficient monies to hire professional, full-time administrators.

The Canadian example is instructive. Plagued by shoestring operations in most of their amateur sports, which were supported almost entirely by volunteer workers, the government in 1970 created a central administrative headquarters for the major sports bodies. As inducement to groups to move to the National Sports and Recreation Centre in Ottawa, the government offered not only office space and all attendant support services, but the salaries for an executive director and technical director for each sport.

2. THE INVOLVEMENT AND PARTICIPATION OF FOREIGN POPULATIONS IN SPORTS IS GENERALLY HIGH

The relative importance of sport as a national priority in other countries is evidenced in several ways:

- Popular Interest

  It is not unusual to find one-third to one-half of the population of European countries engaged in regular sporting activity of one type or another. Europeans generally are active, "educated" sports fans who enjoy a large spectrum of athletic disciplines -- major and minor sports -- and support live events in large, enthusiastic numbers

- Political Involvement

  Political leaders are personally involved in amateur sport and fitness concerns. This is even more true of developing countries, where international sports are viewed as a relatively fast way to garner world prestige and recognition

- Public Funding

  Almost every country in the world supports its athletes and athletic programs out of the government treasury. In West Germany, the figures have risen from $34 million in 1970 to nearly twice that amount in 1974, with state governments contributing a similar sum. In East Germany, the government was expected to contribute more than $30 million in 1975 to the national sports confederation, which accounts for half its budget. The Canadian government spent close to $24 million in 1975 for sports and recreation, with one quarter of that going to elite athlete development and international sports programs. Some Canadian provinces are spending even more than the national government for their own sports programs

Industrial Activity

Sports "consciousness" and involvement is displayed by business and industry in many countries. Large industries often encourage employees to take part in inter- and intra-company matches by providing facilities and sometimes time off. Not only are there generous contributions to national sports organizations, but companies readily support athletes by providing them with jobs -- and many donate the athletes' salaries for broken-time support when they are away training or competing. The athletes' success internationally is viewed with corporate as well as national pride. Outstanding achievements in competition are rewarded in some cases with promotions for athletes within their companies

3. SPORTS DEVELOPMENT IS PURSUED IN AN ORGANIZED, PLANNED MANNER IN OTHER COUNTRIES

The keystone to development in amateur sports in most countries is a coordinated network of local clubs. Few countries have utilized the primary and secondary school system as the backbone of sports programming and instruction for youth as it is done in this country. However, the club system, emphasizing single-sport and multi-sport programs has certain advantages when it comes to involving the masses in sports and in developing elite athletes:

- There tends to be greater uniformity in quality of programs and facilities
- Use of facilities can be coordinated and maximized
- Young people can participate year-round, and before or, more importantly, after their formal schooling

- There are more direct links between clubs and the national sports bodies
- Government and private funding can be made directly to clubs for specified program support
- Clubs develop the base of athletes for local, regional and national competition
- Programs can be directed to all age groups

Many countries formulate one-year, four-year, even twenty-year master plans for individual sports, national sports programs and international participation goals. These plans generally emanate from the sport associations but are reviewed, coordinated and approved by the highest sports authority. Implementation of the final plans as they relate to each sport is the responsibility of the individual sports bodies.

As a result of these planning actions, most countries have definite on-going programs or procedures in the following areas:

- Sports Development

  When the Soviet Union, the Eastern bloc nations and even the developing countries make a determination to compete in a sport at the international level, an assignment is made to a group such as the Army or a sports federation to build the necessary facilities, recruit the athletes and develop the training programs. The mechanism is there to bolster a lagging program, add new sports or de-emphasize others with relative speed and efficiency

- Training of Coaches

  Many countries in Eastern and Western Europe have colleges and sports institutes with rigorous three-and four-year curricula to train and qualify national coaches in various sports

- Athlete Classification

  National athletes are classified into different categories in some countries based on their performance and potential -- world-ranked, international, national senior, national junior. This process usually establishes the amount of financial support an athlete is eligible to receive, the concentration of coaching he or she will receive, access to specialized facilities and selection for international teams

- Sports Research Centers

  More countries are establishing central institutes and foundations which serve as the collection point for sports research, information and developments in sports medicine. This allows the practitioners of sport to take advantage of the latest information and research studies available and serves to show what gaps still exist in these technical fields

Such a coordinated approach to sports development and planning is lacking in the United States because the current system operates piecemeal in a competitive, not a cooperative framework.

4. GOVERNMENT IS THE PRINCIPAL SOURCE OR AGENT FOR FUNDING AMATEUR SPORTS ABROAD

Governments in many countries make outright grants to the national sports federation, the national Olympic committee, sports colleges and other groups promoting sports science and development. In many cases, the government is the major source of funding for these organizations although they may still go out and raise other funds privately. As noted previously, industrial support for programs is also significant.

Without controlling the sports federations, other governments disperse generous grants or funds which are used in a variety of ways:

- To build sports facilities
- To subsidize the operation of national training centers
- To sponsor research in sports science and sports medicine
- To set up centers for sports information

- To pay for the equipping, outfitting and travel costs of international teams
- To subsidize the training costs of national-level athletes through scholarships, living allowances or other means
- To reimburse employers for time lost when athletes are away from their jobs for training or actual competitions
- To pay for salaries of national coaches, sports administrators and other sports officials
- To establish and operate colleges or training programs for athletes, coaches, referees, judges and other officials
- To host national and international games and championships
- To promote and sponsor grass-roots development programs for all age groups through clubs and municipalities
- To send officials and representatives to international sports meetings
- To finance the development of sports programs in developing countries as a tool of foreign policy
- To support the exchange of coaches, trainers and other sport specialists to boost domestic programs or promote good will abroad

One of the chief sources of revenue to help government defray these costs is the sports lottery. Several dozen countries run a lottery at the national or state level or both. Countries are also promoting special coin and stamp programs and other fund-raising devices to support amateur sports.

5. USE OF SCARCE SPORTS FACILITIES HAS BEEN MAXIMIZED ABROAD

The planning, siting, construction and use of facilities in other countries have been coordinated in ways which tend to optimize their effectiveness and impact. Orchestrating the use of such facilities is carried out by individual sports bodies in conjunction with the national sports federation or highest sports authority.

As a result:

- Many countries have built regional and national training facilities for sports they are emphasizing. Promising athletes may train there year-round or attend regular clinics conducted by the national coaches. These sites often include dormitories, cafeterias, weight rooms and other necessary equipment to provide complete training centers and housing for athletes. Such centers are usually supported and subsidized by the government with funding channeled through the national sports federation. This approach allows developing national athletes to have the best coaching and facilities available at a nominal cost
- There is little "down-time" for existing facilities; scheduling is tightly maintained for round-the-clock use
- Most facilities meet required design standards for Olympic and international sports competition. Several European countries have established institutes that provide architectural plans and assistance for the construction of various types of facilities and sports complexes

6. MOST COUNTRIES EMPHASIZE NATIONAL AND INTERNATIONAL COMPETITION

All countries appear to recognize the importance of encouraging regular competitions in sport at all age and proficiency levels. Such athletic contests:

- Provide necessary goals for participants in sport
- Allow for recognition of accomplishment and athletic excellence
- Develop promising talent
- Serve an important educational function in reaching the public and interesting other people to take part
- Provide entertainment for non-participants

Consequently, countries promote and sponsor national championships in almost every sport for which there is public interest and participation. In addition, countries usually select and send abroad representative teams in various sports to a variety of international competitions.

European athletes, in particular, seem to benefit from several advantages over their American counterparts in this regard as:

- Competitions and the opportunity to compete against other national teams are much more frequent, due to the close proximity of European countries
- The quality and caliber of competition is generally high -- even in many "minor" sports
- As a matter of policy, many countries pay the expenses for their top teams to represent them at both senior and junior level meets
- In addition to national championships in each sport, many countries hold periodic national games in which a number of sports disciplines are brought together
- Almost without exception, all domestic competitions are run according to the international rules governing each sport. This means athletes do not have to adjust their style of play for international meets

* * * * *

This section of the report has described how foreign sports systems are organized and where there are significant differences from the United States model discussed earlier.

The next section will discuss the need for the reorganization of the U.S. amateur sports structure.

IV. NEED FOR REORGANIZATION OF AMATEUR SPORTS

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Previous chapters have established that the current structure of amateur sports in the U.S. is plagued by problems which impede or tend to impede the U.S. from fielding its best amateur athletes in international competition. A case has been made that the present organization of amateur athletics is fragmented, non-directed and unresponsive to the needs of athletes in particular and the public in general. Admittedly there are innumerable areas of strength within the existing amateur sports structure, but recurring problems indicate the presence also of weaknesses.

An analysis of the existing structure for U.S. amateur sports results in the identification of certain needs within the system, which must be met if it is to operate smoothly and in the best interests of the public and participants. These needs will be reviewed in detail in a following section. As background to this discussion of needs, however, it is significant to note that high-level sources within and without the United States have called for major changes within the U.S. amateur sports structure. These recommendations reflect the personal or organizational perspective of the individuals voicing them.

1. FORCES WITHIN AND WITHOUT THE U.S. HAVE CALLED FOR A REORGANIZATION OF AMATEUR SPORTS

The organization of amateur sport in the U.S. and the recurring problems and disputes discussed earlier have been cited as evidence of a need to:

- Reorganize the structure of amateur sports in the U.S.
- Put one organization in charge of sports, both for the creation of policy and for the setting of direction in implementing that policy

Existing organizations have proclaimed a need for change in the organization of amateur sports in the U.S. The sources of these statements are individuals active in amateur sports organizations in the international and domestic areas.

(1) Officers of the United States Olympic Committee Recommend That Public Law 805 Be Amended

Public Law 805 is the legislative apparatus that established the U.S. Olympic Committee as a federally-chartered organization. Officers of that organization have testified before the President's Commission on Olympic Sports that they are in favor of amending this law in order to expand the mandate of the Committee and to give the Committee specific authorization and power for carrying out its added responsibilities. There is some disagreement among the officers over the desired membership of the Olympic Committee; some propose the membership be restricted to national governing bodies, while others propose that membership should be open to all amateur sports organizations. Nevertheless, there is basic agreement that Public Law 805 should be revised to:

- Require all organizations whose athletes compete in international competition to become members of the sports governing body
- State criteria that must be met by national governing bodies in order to be recognized by the USOC
- Authorize creation of a USOC criteria committee with power to require each federation's compliance with said criteria and with power to make final and binding determination including power to require replacement of officers of governing bodies who fail to carry out directives of the committees
- Include a strong athlete's bill of rights
- Include a provision granting a sports organization the right to seek national governing body status through arbitraition before the American Arbitration Association

The effect of these changes would be to make the USOC the highest sports authority for Olympic and Pan American sports.

(2) The Executive Director of the National Collegiate Athletic Association (NCAA) Also Recommends Amending Public Law 805

Walter Byers, Executive Director of the NCAA, has testified that serious changes in the USOC are necessary to improve the overall amateur sports system in the U.S. He has testified during a public hearing that Public Law 805 be amended explicitly to provide for the:

- Establishment of an effective mechanism by which challenges to incumbent Group A membership can be made in the U.S.
- Reduction in the size of the Board of Directors and the Executive Committee, and a corresponding cutback in Group A votes on these boards
- Reorganization of USOC internal administration

- Establishment of guidelines for Olympic development
- Requirement of USOC financial and operational accounting to the public

(3) The Amateur Athletic Union (AAU) Is in Favor of Some Form of Restructuring

Officers of the AAU have expressed the view that some form of restructuring the amateur sports system in the U.S. would be desirable. In fact, the AAU recently has taken steps to restructure the sports it governs, providing more autonomy to the individual sports. In individual conversations with these officers, they have expressed support for the idea of a highest authority in amateur sports and of a vertically organized structure.

(4) International Organizations Have Made Recommendations to the U.S. for the Organization of Amateur Sports

The President's Commission on Olympic Sports has conducted interviews with members of the International Olympic Committee (IOC) and the General Assembly of International Federations (GAIF) -- the federation of international sports federations -- and heard testimony from members of foreign countries' governing bodies. These individuals have made certain recommendations that should be considered in evaluating alternative approaches to organizing amateur sports in the U.S. The IOC, GAIF and the majority of international sports federations contacted during the course of this study stated that the United States needs to:

- Reorganize the existing sports bodies into a "vertical structure" which has certain responsibility and accountability factors built in. The current structure is perceived to be horizontal and lacking clear lines of authority

- Create or designate a "highest sports authority" which provides leadership, planning, coordination and support for amateur sports
- Designate a highest sports authority that international federations can look to for recommendation of the appropriate franchise holder in cases of dispute

A GAIF official has suggested that the United States could solve some of its problems by putting somebody in charge and in particular by putting somebody over the AAU and the NCAA and the other multi-sports organizations. This ultimate body, once established, would provide the U.S. with a structure similar to other countries such as Switzerland, East and West Germany, and England. This body, according to this source, must be non-governmental to avoid violations of the IOC and the international federations.

An IOC officer would like to see independent sports associations in the U.S. The USOC, according to this official, is an over-involved, cumbersome organization. He stated that it was within bounds of IOC rules for Congress to amend the present charter or to issue a new and explicit charter for the U.S. Olympic Committee, but warns of government interference in selecting members of such an organization.

A member of the International Basketball Federation has stated that the problem with the U.S. is that sports develop horizontally, as opposed to vertically. He also cited NCAA rules as a hindrance to the development of winning international basketball teams in this country, and labelled the degree of AAU influence in the USOC as unhealthy.

Willi Daume, First Vice President of the IOC, called for the U.S. to retain its system of democracy in governing sports when he testified at the second hearing of the President's Commission on November 10, 1975. However, another official classified the U.S. as a system of patronage. In particular, while most non-U.S. and U.S. sports governing bodies hold elections on a democratic basis, the USOC operates on a system of factions wherein association-appointed representatives join to vote as a bloc on certain issues to create a system suitable to specific factions, regardless of the overall implications.

The international official also expressed his views on needed changes in the U.S. amateur sports system. He is in favor of single-sport bodies being the governing bodies for sports in the United States. Additionally, he would like to see a non-governmental organization established with authority to resolve organizational disputes and conflicts.

2. SOME NEEDS OF AMATEUR SPORTS ARE NATIONAL IN SCOPE, SUGGESTING THE DESIRABILITY OF A CENTRAL FOCUS FOR LEADERSHIP

As previously discussed, there are a myriad o organizations at all levels, i.e., federal, regional, state, local and of all types, e.g., single-sport, multi-sport, voluntary, professional, contributing greatly to the conduct and growth of amateur sports in the United States today. While each existing body sets its specific goals and attempts to further these with its own set of rules, money, time and special projects, there is no one organization that stimulates or coordinates all these efforts towards ends that are considered beneficial to the nation as a whole. The USOC endeavors to fill this gap, but is limited by its chartered mandate (Public Law 805) and its budget.

Other multi-sports organizations, such as the AAU, the NCAA or the National Junior College Athletic Association (NJCAA), have control over some aspects of amateur sports, but none is broad enough or powerful enough to coordinate and direct the other groups. More importantly, these are all independent voluntary associations with their authority derived solely from and directed towards their members.

It is clear that there is no organization or group of organizations in charge of amateur sports in the United States. Yet, there is a most fundamental reason for having a focus for leadership in amateur athletics: to provide athletes with the opportunity to pursue and attain their peak level of performance and to minimize, if not alleviate, those obstacles that hinder athletes in their pursuit of excellence.

To date a decentralized approach to maximizing opportunities and minimizing obstacles has not been wholly successful. The possibility exists that the current structure could be made to work as a unit that is more responsive to athletes and the public at large without external intervention; but this would rest solely on individual initiative and voluntary action. Even if this optimistic alternative worked, signifying a new and unprecedented development in amateur sports, there are certain needs which would not be met unless one organization is designated to be in charge of U.S. amateur sports. These needs include:

- Arbitrating and resolving organizational conflicts and disputes
- Protecting against unreasonable application of rules to deny the rights of athletes to compete
- Minimizing probabilities of future conflicts occurring
- Certifying national governing bodies based on specific, measurable criteria
- Coordinating efforts of existing organizations
- Making available financial, managerial and technical support
- Preventing any one organization from exercising undue control over any confederation of sports organizations of which it is a member

The United States is one of the few nations in the world without a national organization representing the public's interest in amateur sports. The single most important reason why is that the private sector in the United States has not organized itself into a strong composite sports body with authority and responsibility for coordinating amateur sports at the national level, as has been done in countries without a highest sports authority. Similarly, neither has the federal government chartered one organization with such authority or responsibility.

The end result is that there is no existing sports organization chartered to provide the breadth and depth of leadership necessary to give direction to the comprehensive national sports effort. National goals are not established and made operational, comprehensive planning is not being carried out and coordination is minimal.

3. RESOLUTION OF CONFLICTS AND ARBITRATION OF DISPUTES IS AN IMPORTANT NEED

As discussed previously, organizational conflicts and disputes between sports bodies have plagued amateur sports in the past and continue to disrupt an organizational structure that theoretically exists to assist the athletes. The AAU-NCAA dispute is perhaps the classic illustration and best-known example of organizational conflict in amateur sports,but as was pointed out earlier in this report, it is only one of many such cases. An immediately obvious problem underlying these cases is that the organizations involved are accountable only to their member organizations and not to the general public or the athletes themselves. There is no highest authority in amateur sports that has the financial or legal authority to bring about compromise, restructuring or disenfranchisement on the part of these organizations in the best interests of all parties involved or for the nation as a whole. A national organization could play a role in mediating and settling disputes; that is, it could be charged with:

- Measuring existing sports governing bodies against certain well-defined criteria of how the group should be constituted, what its duties should be and how well it performs
- Mediating cases of dispute whereby a party feels that his rights have been violated or that the existing

franchise holder is not meeting the requirements of a governing body

This organization would need the inherent authority to make its decisions binding on all parties involved and the power to enforce them.

4. ATHLETES' RIGHTS MUST BE PROTECTED AGAINST UNREASONABLE INFRINGEMENT BY ORGANIZATIONS

Similar to cases of organizational disputes, there is a need for some organization to have highest authority in rendering decisions in cases involving athletes' rights. The delicate matter of deciding on a fair balance between an athlete's right to compete and an organization's right to expect an athlete to meet his obligations has already been discussed. There should be one designated organization with the power to arbitrate in cases of athlete/ organizational dispute. This organization could take either an active or reactive role in arbitrating disputes. An important consideration is who would have the acknowledged right to initiate arbitration, e.g., only the plaintiff; any affected individual, etc., and how could the arbitration agent ensure that the plaintiff would not suffer retaliatory treatment by the defendant or other organizations.

The resolution of organizational/individual disputes, as they arise, is a first major step towards improving the existing amateur sports structure. Existing organizations individually have many strengths and conduct numerous worthwhile programs, but need more effective ways of interacting. Resolution of disputes represents the reactive end-stage approach to establishing better working relations. This needs to be coupled with an active, preventive approach in order to produce lasting effects. This second approach could take the form of a vertical restructuring as described below.

5. VERTICAL RESTRUCTURING COULD HELP PREVENT FUTURE ORGANIZATIONAL DISPUTES

The concept of a vertical structure for sports, as it is understood and exists in other countries, could be applied to the United States. In essence, this would mean that:

- All governing bodies report to a highest sports authority
- All national organizations in a sport would belong to the national governing body in that sport
- Lines of authority and areas of responsibility would be clearly defined

As a result of establishing this type of structure, there would be fewer areas of potential overlap or conflict, resulting in fewer disputes between organizations. In the long run, this situation should reduce the number and frequency of organizational disputes.

6. A FAIR AND EQUITABLE MECHANISM FOR CHALLENGING A FRANCHISE HOLDER IS NEEDED

The U.S. Olympic Committee currently has assumed the domestic responsibility for recognizing national governing bodies in each of the Olympic and Pan American sports. A great deal of controversy surrounds the mechanism for franchise challenge that was adopted at the 1974 USOC biennial meeting, however. This mechanism should be reviewed, at a minimum, for fairness, equity and expediency. There also are arguments for having another organization be responsible for reviewing and certifying national governing bodies. In particular:

- The USOC currently does not have authorization under Public Law 805 to certify governing bodies
- The USOC only has jurisdiction over the 30 Pan American and 28 Olympic sports
- International sports federations look to a country's highest sports authority for recommendation of a national governing body
- The USOC voting structure gives a two-thirds majority of votes to the current governing bodies

These arguments suggest that serious consideration should be given to having a national organization other than the USOC entrusted with the responsibility for reviewing an organization's credentials to remain or become a national governing body. Naturally, the procedures for certifying a franchise holder would need to be consistent with international sports federations' regulations to ensure continued recognition of the U.S. for international sports competition; this is discussed in a later section of this chapter.

7. EFFORTS OF EXISTING ORGANIZATIONS AND INDIVIDUALS MUST BE COORDINATED

It has been explained earlier that existing organizations are even now making decisions that affect amateur sports in the United States beyond their nominal authority. Yet, these organizations operate within a system that has many factions. There are a number of ways in which the current structure of amateur sports could be considered divided. Three major divisive factors are:

- Public vs. Private Roles

  The government is charged with specific responsibilities that affect amateur sports. For example, the National Institutes of Health award grants for basic and applied research in sports medicine; the Department of Defense has developed team handball as a sport and provides opportunities to train for its service men and women; the Consumer Product Safety Commission researches sports-related products for safety factors; the Department of the Interior supports sport and recreational activities and so on. On the other hand, private organizations -- particularly governing bodies -- effect sports by sanctioning events, scheduling competitions, setting rules and regulations, etc. A cohesive organization could coordinate the activities of these public and private policy making groups

- Educational Institutions vs. Athletic Clubs and Associations

  The co-existence of amateur sports programs conducted within and by educational institutions and those programs outside of the educational system is nearly unique to the United States. Historically, it has led to conflicts among sponsoring groups over administrative control of sports where students and club members compete. An impartial organization is needed to delineate roles of these factions and minimize their infighting. In particular, carrying out this coordinating role could result in a smoother transition for the athlete from student to post-scholastic status

- National vs. Local or State Organizations

  Local and state groups or governments may perceive the need for additional facilities or other training resources in their jurisdictions while the national as a whole may place higher priorities on locating facilities or resources elsewhere to better allocate resources on a nationwide basis. These conflicts in perception of need and in establishing priorities for projects could be turned around to the advantage of sports if there was one organization making plans for, overseeing and supporting development efforts

The establishment of a chartered non-partisan coordinating body would be in the best interest of amateur sport in the United States if it were able to maximize the individual contributions of existing organizations by eliminating duplication or overlap, reviewing specific projects in light of a national sports policy and avoiding scheduling conflicts.

8. FINANCIAL, MANAGERIAL AND TECHNICAL SUPPORT SHOULD BE MADE AVAILABLE

At present, certain sports are receiving far greater emphasis and enjoy more extensive resources than others, due to greater spectator appeal, ease of attracting participants or longevity of existence in the United States. Since financing and large-scale development of the less popular, or minor sports depend upon widespread support, this unbalanced situation is likely to continue without considerable assistance. If a national sports policy deems it in the public interest to expose citizens, particularly youth, to a wider range of athletic experience, to create additional opportunities for individual sports achievement and thereby to achieve a better balanced national sports program, then one of the needs in amateur sports is to strengthen certain minor sports. Assistance to do this would most appropriately be in the form of financial and technical support to organizations and managerial assistance to governing bodies.

In addition to providing developmental assistance to the so-called minor sports, similar supportive services could be given to all sports. A national, non-partisan, umbrella-type organization would be necessary to carry out certain functions currently handled by some governing bodies and other sports organizations more efficiently and economically by eliminating duplications of facilities and specialists and by utilizing economies of scale. This could be done on a voluntary request basis. Examples of the types of activities that could be carried out on behalf of all sports might include:

- Coordination of Basic or Advanced Research and Development in Sports Medicine, Athletic Facility and Equipment Design, Performance Analysis and Evaluation

  A national organization could evaluate the needs for research; it could award contracts or grants for conduct of this research; it could coordinate and compile information on activity in this area; it could publish and send out newsletters on topical areas; or it could be involved in other ways

- Information Clearinghouse

  A central body could accumulate, analyze and disseminate widely diverse information relating to athletics. It could be a clearinghouse of data as well as a statistical research center

- Development of Teaching Programs

  A central organization could encourage, sponsor or coordinate the development of advanced or improved physical training, physical education, coaching, officiating and judging programs. It might set goals for development of teaching materials outside its own organization

- Facility Development

  A national body could identify national needs for sports facilities, stimulate interest in providing these, provide technical specifications and financially assist facility development

9. THE CONCEPT OF A HIGHEST AUTHORITY IN SPORTS WOULD MEET THE NEEDS DISCUSSED

Preceding sections have amply described both the problems and needs in the structure of amateur sports in the United States. The analysis has demonstrated the need for an organization -- national in scope -- that would have highest authority in matters concerning amateur sports in the U.S. Alternative forms for this organization are discussed in Chapter VI of this report, including establishment of a new organization -- in the private or governmental sector -- or designation of an existing organization. This organization could be represented anywhere along a wide spectrum of size and responsibility. At a minimum, a sports authority could be basically an arbitration board to settle disputes and/or an enforcement organization; at a maximum, it could be an arbitration board; an enforcement organization; a financial, managerial and technical resource; a planning and implementation body; a coordinating body and a research group.

10. A HIGHEST SPORTS AUTHORITY COULD BE ESTABLISHED WITH RESPONSIBILITY FOR DEALING WITH A WIDE RANGE OF ISSUES

Obviously,a balance of power and responsibility is desirable between a highest sports authority and existing sports organizations. Therefore, not all of these proposed responsibilities necessarily should be under the auspices of the highest sports authority. Rather, the strengths of existing organizations should be built upon, and a national organization should supplement their individual responsibilities.

A discussion of proposed responsibilities for a highest sports authority or other organization in the amateur sports structure follows. Further debate and discussion over alternatives will be necessary before the specific functions within these areas of responsibility can be defined and finalized. The major areas, however, should include:

- Management
- Organization
- Finance
- Participation
- Facilities
- Competition
- Development
- Standards
- Advocacy

While these are not mutually exclusive areas, they are comprehensive in addressing the basic needs of the United States amateur sport structure, as discussed in the preceding chapters.

(1) Management

- Formulating a National Amateur Sports Policy

  At present, conflicting policies concerning amateur sports exist and are promoted by organizations representing various interest groups. The resources that flow into amateur sports every year are enormous. Nevertheless, there is no overall plan or system of priorities established as a guideline for how these resources can be used most effectively in the national interest to promote sports development and competition. Amateur sports are a national program in this country by virtue of the wide public involvement by competitors, officials, judges, administrators, financiers and spectators. Yet, there is no central and comprehensive organization studying and determining national needs and public interest. For instance, while no consensus can be anticipated, there is, nonetheless, not even an informed understanding of what the general public believes and is willing to support or what is factual with regard to:

- relative importance of winning medals vs. developing broad based participation
- levels of financial support which individual athletes should receive for their athletic participation, training and competition
- degree to which the roster of Olympic and Pan American sports should influence the attention and resources devoted to specific sports development in the United States
- adequacy of the present methods for identifying and developing potential medal winners at an early stage
- definition of "amateurism" in the United States that is consistent with IOC rules and our system of government and is fair to United States competitors facing international competition
- adequacy of facilities for competitive amateur sports

Despite this lack of information and inter-organization communication on these issues, decisions are being made every day by decentralized, mostly voluntary, independent organizations that, de facto, influence the direction this country takes in amateur sports. It is unrealistic to expect that the interest of athletes and the general public will be adequately and fairly represented through this fragmented and decentralized system. A highest sports authority would be in a position to set policy affecting all amateur sports in the U.S. that have an international affiliate. There are three major reasons why this body should set policy for all internationally affiliated amateur sports:

- The Olympic sports program is subject to change every four years. New sports are continually added, while others, such as golf and tennis have been dropped. Any organization concerned with comprehensive sports policy should be concerned with potential Olympic or Pan American sports, as well as those on the program at any given time

- The effects of a fragmented, partisan structure have been documented earlier in this report. In discussing the proposal of a highest sports authority, there is no need to perpetuate the same ills by restricting its scope to a non-constant set of sports determined by international needs and requirements. The focus of a highest sports authority should be to promote sports within the United States according to the interests and support of the public while observing rules of international competition

- Some boundaries are essential to define the sports which will come under the jurisdiction of the highest sports authority. In order to screen out sports which are not officially recognized by international bodies, e.g., arm wrestling or those which are unique to North America such as football, the criterion suggested is that the sport have international affiliation

A highest sports authority could be charged with formulating a national policy for activities, projects and programs related to amateur sports development and competition. Such a policy developed for all sports in the United States would be based on public opinion, interest and support. A long-range, comprehensive national plan could assess these issues in order to identify needs and establish priorities and criteria on the basis of which specific projects or programs could be encouraged or supported

- Accounting to the Public for Activities and Finances

Any national organization invested with certain powers to conduct amateur sports activities must be accountable to the people it serves. A highest sports authority would represent the public's interests in amateur sports and as such act on its behalf. There needs to be a mechanism by which the activities and finances of the organization are reported to and reviewed by some representative group for the public. This review group must have some authority over a highest sports authority so that if the report is not acceptable, action can be taken to ensure compliance with the public interest. One possible mechanism is to have a highest sports authority sumbit annual reports, of stated content, to the United States Congress for review. A committee or subcommittee within that body would be assigned review responsibilities. Other possibilities include periodic reporting to the Department of Health, Education and Welfare -- perhaps to the President's Council on Physical Fitness and Sport or another group -- or to the President. A highest sports authority would be required to demonstrate that it had made measurable progress towards meeting its goals and objectives and had used its funds judiciously in those accomplishments

Governing bodies for individual sports would be within the jurisdiction of a highest sports authority. In order to receive financial support for projects or activities, managerial or technical support, they would be required to submit their individual plans for development and competition and in return be accountable to a highest sports authority for use of those supportive services.

(2) Organization

Recognition of Governing Bodies

A highest sports authority could have the authority to recognize the single organization in each sport most capable of governing the sport in the United States and of representing it internationally. Capability would be determined by measuring the governing body's organization and performance against objective criteria. The power to review organization, management and performance of the organizations as well as the ability to take appropriate action in the case of unacceptable organizations would also rest with a highest sports authority. A fair, expedient and minimally disruptive mechanism for challenging and overturning a franchise would be developed and administered by a highest sports authority. Since a highest sports authority cannot dictate to the international federations who should be the internationally recognized franchise holder, it would:

- make the recommendation that the nationally approved organization be recognized internationally

- allow a transition period for the newly franchised organization while the international federation makes its decision

- be willing either to appeal the decision, insist on reorganization of the old franchise holder or accept exclusion from international competition in that sport if denied international recognition of the recommended body

Established and standardized procedures for challenging franchise, designation of a single recognizing authority and objective criteria for judging the merits of organizations applying to be governing bodies, would establish order in the United States system where competition among different groups is a healthy means of improving an organizational situation

- Studying and Recommending Complementary Roles, Responsibilities and Consistent Regulations for All National Organizations in Each Sport

A highest sports authority would take an active role in encouraging and sponsoring a study by each governing body to set goals and objectives for its sport, to outline appropriate roles for each of its member organizations regarding: rules of competition; techniques of training, facility specifications; and, any other areas important to development or competition in the sport. Within a highest sports authority structure, there could be a pool of analyst/researchers who would each be assigned to specific sports under the jurisdiction of the highest sports authority. These individuals would be knowledgeable in their assigned sports and could assist the governing bodies in conducting these studies upon request

- Maintaining Liaison with Federal Government Bodies Involved in Sports

A number of federal government departments of agencies are already involved in some aspect of amateur sports. A highest sports authority would coordinate with these groups to ensure that their respective responsibilities do not overlap and that there is a central information repository for the activities of all these agencies. A highest sports authority could be passive in its role of coordinating information on all of their programs but could also take an active role. Specifically, a highest sports authority could be the body through which all sports-related requests for financial or technical assistance for the Federal government could be channeled. A highest sports authority could review all requests, forward them to the appropriate agency with comments and recommendations for approval or disapproval, and a request to be informed of the disposition of the requests. Also, a highest sports authority might provide back-up to those agencies in situations where other agencies are unable to provide the assistance requested

(3) Finance

- Initiating or Coordinating Fund Raising

A central and coordinated effort to raise funds for amateur sports could be better managed and more productive than individual efforts of national governing bodies or their member organizations. There are certain economies of scale that could be used to advantage if one umbrella organization undertakes fund raising, regardless of the specific sources and means of funding sought. Professional fund raisers, either on the permanent staff or outside of a highest sports authority, would be consulted in planning fund-raising activities. In addition to the advantages of one organization raising funds, benefits would accrue also with regard to management of money. In-house financial experts could invest monies not needed in the short run and, hopefully, increase its value through sound investments. United Way is an appropriate analogue, as that body has assumed most of the cost, administration and management of fund-raising activities away from its individual member organizations and eliminated much duplication of effort and repititious solicitation from the same donors. At the same time, member organizations have retained a certain autonomy in that donors can elect to have their one-time contribution go to designated groups or causes

- Providing Financial Aid to Athletes

Athletes might be able to apply directly to a highest sports authority or their governing body for financial aid. The funds in either case would come from a highest sports authority. These monies would be restricted to use for such items as:

- training costs, coaches fees
- travel expenses in competitions
- food and lodging expenses at competitions
- equipment costs
- compensation of employers for broken-time payments -- employers could receive the money directly, following an accepted request by the athlete
- medical tests and treatment

Financial aid would have the explicit purpose of compensating world-class athletes, i.e., those that represent the United States in international competition, for their own money spent in training and competing. The aid would not be for paying the athlete beyond his necessary out-of-pocket costs for furthering his athletic career; further payments would be a violation of international amateur rules. Aid might be in the form of scholarships and loans, with awards based on criteria of financial need and world standing with some minimum number available in each sport

- Providing Financial Assistance to Organizations

Many governing bodies, particularly for minor sports, do not have adequate funding to promote and develop their sports and to provide the support necessary to get their athletes into international competition. A highest sports authority could provide the outside monetary assistance needed to get these organizations off the ground, since it is possible for them to become self-supporting if the sport becomes known and popular in the United States. Essentially, a highest sports authority would provide "seed money" to governing bodies showing both the need and the managerial capability to manage the money to the advantage of the sport. Sports analysts within a highest sports authority could be available to help the organizations plan for the development and promotion of their sports

- Supporting Wide-Spread Involvement in All Sports

  Three sports in this country have been generally highly developed and highly promoted -- football, baseball and basketball; most of the other sports suffer from under-exposure, under-funding and under-development. One role of a national sports authority could be to encourage people to find suitable sports outlets for their skills and interests. Participation in lesser-known sports could be actively sought and encouraged by several means: gaining more exposure on television and the news media, developing better programs and facilities, tying in training programs with the school systems, hosting competitions and so on. Active recruitment drives could be conducted for athletes, judges, referees, coaches, officials and spectators

- Arbitrating Disputes

  Organizational disputes -- such as the AAU/NCAA conflict -- or disputes between organizations and individuals should be greatly minimized by the implementation of such a proposed structure in amateur sports. Nevertheless, there should be provision at the highest level in amateur sports to deal with and resolve these issues so that no athlete is ever unfairly denied the right to compete because of disputes with or between organizations. A highest sports authority, therefore, should have the in-house legal capability to review cases of disputes brought to its attention by a plaintiff or interested party and to render decisions which will be legally binding on all parties involved. A linkage with the judicial system may be required for cases when the involved parties do not agree to the terms of a highest sports authority's arbitration, or refuse to comply with the decisions rendered

(5) Facilities

- Identifying Existing Facilities and the Need for New Ones

  A continuously updated inventory of facilities for international competition could be maintained by a highest sports authority. Aspects of facility availability, accessibility, quality and cost might constitute the data elements. Analysis of this inventory of existing facilities and individual sports development plans would result in recommendations for needed facilities with priorities assigned on the basis of national amateur sports goals and objectives. Organizations or individuals wishing to build facilities could apply for funds and technical assistance from a highest sports authority. Analysts in a highest sports authority structure could review proposals for the conformance of their technical specifications to international regulations and their priority level. If requested or necessary, a set of standardized building plans drawn up by architects or contracted for by a highest sports authority would be sent to the applicant or any other interested party. Sports facilities, due to the enormous expenses involved, would in most cases have to be underwritten in part or in full by some level of government

- Improving Access to All Types of Sports Facilities On a Year-Round Basis

  A number of sports facilities -- such as those affiliated with educational institutions and military bases -- are only open to a limited segment of the population and only for certain times of the year. A highest sports authority could be empowered with improving access for athletes at all types of existing facilities to maximize their use. In many cases, the operating costs, including insurance coverage for the times a facility is open, shorten the hours or seasons in which many facilities can afford to stay open; financial assistance from a highest sports authority may help overcome this problem

(6) Competition

- Establishing a Classification System for Athletes

  Similar to other countries, a classification system could be established for athletes in all amateur sports. Depending upon his or her rank in world standings, each athlete would be assigned to a class. Certain privileges, such as priority in awards for financial aid, in accordance with amateur rules, would be associated with each class. Classification would be undertaken by the appropriate sports governing bodies. Consideration might also be given to a classification system for coaches, as is done in other countries

- Processing and Approving Dates for All Open Competition

  To eliminate scheduling conflicts, dates for open competitive events in a particular sport should be submitted to one organization for review and approval. This function might be most appropriately assumed by the national governing bodies. It would also be possible for a highest sports authority to serve as the clearinghouse for scheduling information, since it should have centralized computer capability and an in-house support staff to handle the job. Also, with a publishing capability a highest sports authority could print up and disseminate a monthly schedule of events in each -- or all -- sports

- Encouraging and Assisting International Meets in This Country

  International meets and world championships are held infrequently in this country since promotion, responsibility and financial liability are left to individual promoters, clubs, colleges or national sports governing bodies. A sports authority could encourage the hosting of important tournaments in this country and ensure adequate financial backing. This would serve as a spur to national interest in various sports and aid in the overall development of sports

(7) Development

- Making Available Managerial Assistance for Governing Bodies

  Some of the governing bodies in the United States are very small, have severely restricted budgets and are staffed by volunteers. In order for them to become viable and effective organizations for developing their sports, they need financial and managerial assistance. Financial assistance has been discussed already. Managerial assistance could be one of the support services available upon request from a highest sports authority. Included would be assistance in:

- operations management
- program planning, development and evaluation
- financial management

- Making Available Technical Assistance to Governing Bodies and Other Sports Organizations

  Technical support of sports organizations is a perceived need in many sports. Sports science and medicine -- including injury prevention and treatment, research on ways of extending endurance, study of ways to develop better training methods, equipment research and development and research into better methods of analyzing performance -- are areas that need attention in all sports areas. Many sports organizations do not have the funds to support this basic or advanced research. Since these needs are national in scope and often cut across sports lines, a highest sports authority would be the appropriate body to evaluate technical needs, sponsor or arrange for the undertaking of worthwhile research and development projects, coordinate ongoing research and disseminate the findings

- Maintaining a Clearinghouse of Information

  Another identified need in amateur sports is for a central clearinghouse for information and a statistical research center. A highest sports authority could have such a center for the purpose of collecting widely scattered sports information. This could be used for studying the status and needs of specific sports, formulating a comprehensive plan for sports development and for disseminating information to other sport organizations to advise them of the system and of new developments

- Awarding Grants for Projects and Activities

  Proposals for projects in explicitly defined areas could be submitted by any sports organization to a highest sports authority for funding assistance. Funding must not duplicate other funding organizations, such as the National Institutes of Health, the United States Olympic Committee or the Department of the Interior. Rather, it should be supplemental or additive. Monies could be awarded in the form of full grants or matching grants for acceptable projects. The major types of projects to be funded under the provision would be: coaching clinics, educational or training materials, competitions -- costs of transportation and housing for athletes, broken-time payment of officials or judges, facility charges, etc. -- publications of rules or regulations, summer sports camps and seminars

(8) Standards

- Minimizing or Eliminating Differences in Rules

Within many sports there are significant differences in rules for competition, eligibility, behavior and amateur status. An athlete may be subject to different standards as he or she moves from junior-high level competition to high school to college or junior college competition, or from club to national and international competition. This can be a very frustrating and difficult situation for an athlete to face and is often detrimental to his development into a world-class athlete. In some instances, the differences may be justified on the grounds of encouraging wider participation or creating greater spectator appeal. In other cases, this just is not so. A highest sports authority could encourage and support each governing body to undertake a study of these differences, to determine whether they are justified and to formulate recommendations regarding any desirable rule changes that benefit participants at all levels of competition

(9) Advocacy

- Sports Participants Have a Limited Voice at the National Level

Presently, there is no cohesive group in the U.S. that promotes sport at the international competitive level; lobbies for financial, legislative or other support; or, represents athletes and other sports participants at the highest levels. The role of the President's Council on Physical Fitness and Sport approaches this concept, but the Council is concerned more with physical fitness and recreation than developing world-class athletes. Other groups -- such as the old, the poor, the sick, the handicapped -- have advocates at the highest governmental levels where policy decisions are being made. Competitive athletes as well as their coaches, officials, judges and administrators are also effected by policy decisions on international relations,

> Congressional appropriations, military athletic facilities maintenance and the like. There is no organization or group of individuals that lobbies for the interests of amateur sportspersons as individuals. A highest authority could function as a spokesman for their interests and represent them at the government level

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This chapter has presented the needs within the U.S. amateur sport system for a thorough reorganization. It has also outlined the potential roles that could be assumed by an organization designated as a highest authority in amateur sports. The next chapter describes in greater detail the nature and purpose of a highest sports authority in the United States.

V. MODEL OF A HIGHEST SPORTS AUTHORITY

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As presented in previous chapters, an analysis of the problems and needs of the U.S. amateur sports system leads to the conclusion that a reorganization of the present structure must be accomplished. No halfway solutions or symptomatic remedies will result in an effective and efficient system for amateur sports in the U.S. capable of adequately serving athletes and other participants and ensuring that our best athletes are fielded in international competition. One potential mechanism for reorganization has been raised that appear to meet the identified needs of amateur sports and to give direction to amateur sports programs that would be in the best public interest. This is the concept of a more vertically-organized system with one organization in charge.

"Vertical organization" denotes an organizational structure wherein the national governing body in each sport has responsibility for promoting and developing that sport and for serving the needs of athletes and other participants; all the organizations conducting major programs in a sport are members of the national governing body for that sport; and, there is a regionalized system of organization feeding into the natonal level, comprised of regional, state, and local affiliates of the national governing bodies or its members. The concept of one organization in charge of selected functions is derived from the idea of a "highest sports authority" alluded to in the rules of several international bodies, which require the approval of a country's highest sports authority before giving recognition to a new franchise holder in that country.

The idea of a highest sports authority, as a mechanism for restructuring amateur sports organizations and maintaining order and high-level services in the best public interest, is introduced and discussed here in order to prompt public reaction and to guide further its study and consideration by the Commission. At this time, specific details of the hypothesized highest sports authority's organization and operations cannot be stated. Parameters for a model of this organization can be discussed, however.

The idea of a highest sports authority is conceived to be a permanent organization of national scope, set up to assume responsibilities that are not now being assumed successfully or fully by any organization. Three essential aspects of the authority are being proposed at this stage:

- A highest sports authority would not usurp any of the rights, powers or responsibilities of existing organizations, so long as these do not directly conflict with those of another organization in the sport or system as a whole or are unreasonably and unjustifiably detrimental to individual athletes, coaches, officials or judges. Rather, a highest sports authority would attempt to work positively through these organizations to reach mutually desirable goals

- A highest sports authority would be an active, leadership organization. As such, it would have a permanent staff to conduct internal studies and use the findings to encourage or financially support programs; to actively support and coordinate activities or governing bodies and other sports organizations; to provide managerial and technical assistance to sports bodies; to produce instructional and promotional materials; to sponsor and encourage sports research; to operate a comprehensive information clearinghouse; to arbitrate organizational disputes

- Some functions of a highest sports authority may be performed directly for the governing bodies, who will in turn perform the normal functions of governing bodies on behalf of or towards their member organizations, and so on down the vertical structure. Other functions or services will be performed or provided directly to any sports-related organizations requesting them

1. OBJECTIVES OF A HIGHEST SPORTS AUTHORITY MAY BE STATED IN GENERAL TERMS

Before any parameters of a model highest sports authority can be discussed, the objectives of the organization must be explicitly stated. In order to address the identified needs of amateur sports in the U.S., the following objectives are proposed for this model authority.

- Represent the interest of the public in amateur sports
- Provide leadership and a central focus for all activity in amateur sport
- Formulate and maintain an informed national policy for amateur sports to guide government and non-government groups in their respective areas of activity.
- Foster good and productive working relationships among organizations and resolve any conflicts involving organizations and/or athletes that arise
- Coordinate the interest and activities of existing sports-related organizations
- Ensure that national governing bodies are responsive to the needs and act in the best interest of athletes and the public at large
- Support and direct activities or organizations to further knowledge or facilitate the conduct of amateur sports by:
    - Providing financial, managerial and technical

support to existing organizations

- Encouraging and supporting basic and applied research
- Identifying national needs for facility construction and operation and encouraging or supporting groups to meet these needs
- Establishing an information center that functions as a clearinghouse, a statistical research center and a data bank

These are proposed goals or missions under which a highest sports authority might operate. Obviously, these would need to be translated into operational or functional terms before a highest sports authority could formulate specific means of solving the major problems in amateur sports today.

2. INHERENT TO A HIGHEST SPORTS AUTHORITY WOULD BE CERTAIN SPECIFIC POWERS

Implicit in the concept of a highest sports organization is the idea that it be endowed with certain authorities to carry out its objectives. Specific powers to be given to a highest sports authority depend largely upon the actual scope of its mandate. At the present time, however, the possibilities can be identified and raised for further consideration.

A highest sports authority could be given explicit authority to:

- Set a national amateur sports policy; stimulate and support implementation of that policy
- Have final binding authority in arbitration of disputes related to amateur sports
- Require organizations using highest sports authority

financial, managerial or technical resources to be accountable to a highest sports authority for their operations and financing

- Award grants to governing bodies, other sports organizations and individuals for projects and activities consistent with the national amateur sports policy
- Conduct fund-raising activities
- Award technical scholarships or grants to top-level competitors in all amateur sports
- Determine the one sports organization in each sport that best meets established criteria for governing bodies and recommend these bodies to the international federations for recognition and acceptance
- Periodically review organization and performance of governing bodies and urge appropriate improvements
- Revoke or suspend the charter of a governing body for domestic purposes if it fails to meet performance criteria and recommend same to international federations
- Help coordinate and finance the building and use of national training centers for top-level competitors
- Produce and promote coaching and related technical materials
- Receive sports-related requests for Federal government funds -- e.g., for facilities, for basic or advanced research, for trips or tours -- and channel these to the appropriate source of funds, e.g., Department of the Interior, National Institutes of Health, State Department, with a recommendation for or against approval of funding

Regardless of the nature of its authority, it is essential that there be checks and balances built into the new structure for amateur sports. This would be necessary to ensure that a highest sports authority is accountable for its use of power and does not itself infringe on the rights of organizations and individuals.

3. THE ROLE OF THE NATIONAL SPORTS GOVERNING BODIES WOULD BE ENHANCED UNDER A HIGHEST SPORTS AUTHORITY

Membership in a highest sports authority would be open to the national sports governing bodies for all sports with international affiliations. Certain stipulations regarding their organizational structure would be made by a highest sports authority in its criteria for governing body recognition such as requiring that each governing body have as its members all national organizations with active programs in the sport.

The effect of a highest sports authority could be to increase the responsibilities of the national sports governing bodies. Below is a discussion of the responsibilities the national governing bodies might assume under a highest sports authority. In certain sports, the functions discussed below may already be under the auspices of the national governing body. The national governing body should be the ultimate authority for all matters relating to the sport over which it has authority. This authority includes:

- Long-range planning and development of the sport for which it is responsible
- Final word on all aspects of domestic competitions and international participation
- Ultimate approval of domestic programs for development and training
- Administration of a national program for certification of athletes and coaches
- Conduct of clinics for coaches, judges, officials and administrators
- Hosting of open, regular national governing body meetings

- Selection of national teams and national officials for all international competitions; this could be conducted by the selection committee of the national governing body

- Nomination of delegates to multi-sports bodies and to international federations

The national governing body could also have the autonomy to:

- Hire its own administrative and technical staff, which would report to the board of the national governing body

- Hire full-time staff to assist the professional staff on either a regional or headquarters basis

- Arrange to have appropriate facilities built

- Conduct its own fund-raising efforts

4. A HIGHEST SPORTS AUTHORITY POTENTIALLY WOULD HAVE SEVERAL ALTERNATIVE SOURCES OF FINANCE AVAILABLE TO IT

Previous discussion has alluded to existing sources of public and private funds for amateur sports. There are other sources of funds that could be made available to amateur sports. This section lists potential sources as candidates for use in financing a highest sports authority and amateur sports in general.

Sources of funds that could be available to amateur sports include:

- Grants and appropriations of funds from Congress

- Income from amateur sports events conducted by or under the auspices of a highest sports authority and the national governing bodies

- A voluntary income tax check-off earmarked for use by the highest sports authority for amateur sports

- Grants to a highest sports authority from professional sports associations and/or teams

- Tax credits for parents of athletes

- A tax built into the admission price of all sports events -- amateur and professional -- destined to be used for amateur sports by a sports authority
- Revenues from publications -- technical and news -- of the authority
- Income from a national sports lottery
- Use of private funds raised by the authority in the form of debt finance. The interest income to the bond holder could be tax free. The bonds could be guaranteed by the government
- Private sector donations for general or specific uses
- Income from the sale of media rights for events sponsored by a highest sports authority or national governing body
- Revenue from commemorative stamps and coin sales by a sports authority
- User fees -- the concept of athletes paying for the use of facilities in which they train or compete. These fees could be commensurate with the direct and indirect costs associated with that facility. This means the athlete has the responsibility to pay for his/her share of the cost of constructing and maintaining the facility. Alternatively, the user fee can be a nominal charge for the use of a facility, totally independent of the actual per use cost of the facility
- Contributions from the national governing bodies and/or fees for the use of services provided by a highest sports authority

The extent to which each of these alternative sources of finance are viable and worthy of pursuing will be the subject of research prior to the writing of this Commission's second report. The study of potential sources of funds will address the following questions:

- Is the alternative source legally and practically possible for the intended end-use to be made of the funds?
- Can a highest sports authority gain sufficient funds

from the implementation of the financing method?

- Who should have the responsibility for the actual management of the particular funds?
- What is the magnitude of funds that the various sources could generate?

This study will also focus on overhead efforts and costs associated with each financing alternative. Recommendations as to procedure, means of establishing the system needed to generate the funds and the sequence in which a highest sports authority should approach the problem will be discussed in the second report.

5. DIMENSIONS OF A HIGHEST SPORTS AUTHORITY MUST BE IDENTIFIED

The dimensions of a highest sports authority are specific details that will require further study before any specific recommendations can be made. The considerations include:

- Size

  Since a highest sports authority is proposed as an operating organization with certain authorities and functions, it will require a cadre of in-house, full-time professionals with qualifications in a number of areas

- Staff

  Such an authority would essentially need professionals in three areas -- management staff, technical staff with expertise in specialized areas, and line staff, who would work directly with sports bodies. The staff would need qualifications in diverse fields, including:

  - Sports competition, training and coaching
  - Management
  - Administration
  - Program planning, development and evaluation
  - Law

- Financial management and analysis
- Statistics
- Computer science
- Communications
- Facilities planning and developing
- Sports medicine

- Location

The location of a highest sports authority should be decided on the basis of:

- Cost
- Proximity to governing bodies
- Availability of personnel

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This chapter has presented a preliminary discussion of the nature and purpose of a highest sports authority. The next chapter raises issues relevant to implementation of a highest sports authority.

VI. IMPLEMENTATION ALTERNATIVES

VI. IMPLEMENTATION ALTERNATIVES

Earlier chapters have described and analyzed the current situation in amateur sports, identified problems and weaknesses within the current system and proposed a model of an organization which could implement goals and objectives and respond to needs. This chapter describes alternative ways of creating and operating the model that has been proposed.

This section does not present recommendations as to which, if any, of the existing organizations or institutions should be a highest sports authority. Rather, the objective of this section is to review each possibility relative to establishing a highest sports authority and present apparent advantages and disadvantages of each. This will establish a framework for the final report of the President's Commission on Olympic Sports in which specific recommendations will be presented. Recommendations will be derived in part from the alternatives outlined in this chapter.

In terms of implementation alternatives, the basic structural questions for establishing a highest sports authority are:

- Who has the power and authority to create a highest sports authority for the United States?
- Should a highest sports authority be structured as a government department or agency, as a quasi-governmental corporation or as a private organization?

- What existing sports organizations could serve as a highest sports authority?
- What steps are necessary to implement a highest sports authority?

Some potential answers to these questions are discussed in this chapter, but alternatives must be examined and analyzed further before recommendations can be made.

1. THE POWER TO CREATE A HIGHEST SPORTS AUTHORITY COULD COME FROM THE PRIVATE SECTOR OR FROM THE GOVERNMENT

Conceivably, a highest sports authority could receive its authority from either:

- The national sports governing bodies acting in unison
- The President and the Congress

It is possible that the national sports governing bodies, acting in unison, could designate either a new organization or an existing multi-sports organization as the highest sports authority. The likelihood of this happening, however, appears to be remote, based on the analysis presented earlier. Moreover, this might not result in the most appropriate organization being formed. Fundamental to a highest sports authority as it has been conceived are the ideas that it should reinforce concepts of public accountablilty, have built-in longevity and ensure continuity of authority. The sources of power that could create such an authority are the executive and legislative branches of our government. No matter what form of organizational structure is established -- governmental, quasi-governmental or non-governmental -- a highest sports authority could be chartered by Congressional legislation and have

Presidential approval. If a highest sports authority is created in this way, it should receive the public backing that is necessary for it to be an effective force for amateur sports.

2. A HIGHEST SPORTS AUTHORITY COULD BE LOCATED WITHIN THE FEDERAL GOVERNMENT OR IN THE PRIVATE SECTOR

A highest sports authority could be established in any of several different public or private ways.

(1) The Highest Sports Authority Could Be Situated in an Existing Federal Department

Three Federal departments appear to be candidates to house a highest sports authority. They are:

- Department of Health, Education and Welfare -- because sports are closely related to education and health. Sports facilities, sports instruction and scheduled competitions that help athletes to be effective in competitive sports are provided by our educational system. It is noted that the President's Council on Physical Fitness and Sports already exists within Health Education and Welfare and could be a vehicle for a sports authority. The Department of Health, Education and Welfare is also concerned with the welfare and quality of life of people of all ages
- Department of State -- because competitive sport is often used to promote international relations. For example, the President and the State Department have arranged exchange visits between the United States and China or the Soviet Union in track and field, swimming and table tennis. Many countries, especially the Eastern bloc countries and Cuba, have chosen to use sports as one means of expressing national priorities and national strength
- Department of the Interior -- because it has jurisdiction over 500 million acres of Federal land, coordination of Federal and state recreation programs and administration of our national park system. This department already has jurisdiction over some sports facilities as well as the ability to build facilities if demand for its land is expressed.

This department is traditionally more involved with recreational activities, a part of which can be construed to be the conduct of amateur sports

(2) A Highest Sports Authority Could Be Situated In a New Agency

Two examples of a new Federal agency that would deal with the issues of amateur sports and serve as a highest sports authority are:

- An Agency for Sports that Could Serve Competitive Sportspeople of All Ages

  The thought behind this approach is similar to the logic that supported the creation of the National Foundation on the Arts and the Humanities -- namely, to provide support to the arts and humanities on behalf of the public that enjoys them as either a leisure time activity or a serious and full-time pursuit. This independent agency was established in 1965; it awards grants and gives other support to encourage pursuit of excellence in these fields both for students and the public at large. Similar logic could be applied to amateur sports to assist participants to pursue varying degrees of excellence and the public to become more aware of and better founded in sports

- An Agency for Youth and Sport Serving the Population Between the Ages of Infancy and Twenty-Five

  The constituency this agency would serve is broader than amateur sports. But, other countries have a ministry serving a similar constituency within which the highest sports authority is located

(3) The Highest Sports Authority Could Be Established As a Quasi-Governmental Corporation Through an Act of Congress

As a Congressionally-chartered, quasi-governmental corporation, a highest sports authority would be a not-for-profit corporation, such as a sports foundation, and have some of the following features:

- It could be financed initially by the government or on a matching basis between government and donations from the private sector

- It could, after a defined period of time, be expected to operate on a financially independent basis, relying on revenues from promotional efforts of the authority -- income from international tours, merchandising and subscription -- sponsorship of specific projects or other sources
- A highest sports authority could be dependent upon the government and/or private sources of finance
- A highest sports authority might be located in Washington, D.C., convenient to government agencies and the Congress
- A highest sports authority would be accountable to the public through Congress

(4) A Highest Sports Authority Could Be Established as a Federally-Chartered Organization Through the Initiative of Congress

A new organization could be established as a Congressionally-chartered, but private corporation, to be a highest sports authority which would have essentially the same features as a quasi-governmental corporation mentioned in the previous section, except that its regular funding would be from private sources. At present, there appear to be three alternatives for the creation or designation of a private-sector highest sports authority.

Two possibilities are existing amateur sports organizations: the United States Olympic Committee and the Amateur Athletic Union of the United States. A third possibility is the creation of a federation of national sports governing bodies. Each of these is discussed briefly in the following points:

The USOC Could Become the Highest Sports Authority and Currently Operates in That Capacity for All Olympic Sports in Certain Respects

The USOC is the recognized national Olympic committee for this country. As such, it has responsibility for arranging United States participation in the summer and winter Olympic Games and Pan American Games. Each of these competitions takes place once every four years. Currently, there are twenty-eight Olympic sports and an additional two summer sports that appear only on the Pan American Games roster. The USOC assumes the responsibility for raising money to prepare and send teams to the Olympic and Pan American Games. Funds are expended on items such as team preparation, development, Olympic trials, national coaches and travel. Member organizations of the USOC already iclude a majority of the sport bodies currently active in the United States. In addition, many international sports federations rely upon the USOC for certification of national governing bodies to the international federations.

The USOC receives its authority through the IOC and Public Law 805. The USOC is a Congressionally-chartered, non-governmental corporation. Under its current structure it relies on volunteers to raise funds as it does not receive Federal grants. The monies that it receives are allocated to the Olympic sports by a committee of volunteers. The USOC has a relatively small full-time staff. As the highest sports authority, the current USOC would have greater responsibilities and therefore would need more resources.

There appear to be certain advantages for the USOC becoming the highest sports authority:

- It has a structure in place and has immediate recognition and financial support from the public
- It includes all the national governing bodies and affiliated bodies for Olympic and Pan American Games as well as some governing bodies for certain non-Olympic and non-Pan American Games sports
- It is empowered by act of Congress which could be revised to broaden its jurisdiction and authority
- It is already regarded by many as the highest sports authority for some of the responsibilities envisioned under the model sports authority; the necessary adjustment to its Congressional charter would formalize this perception and supply it with the appropriate credentials for those who currently do not recognize it as such

However, there are also some apparent disadvantages to the USOC becoming the highest sports authority:

- The USOC, as it is currently organized, is not acceptable to much of the school and college community; considerable structural and operational changes would have to be made to meet the interests of all concerned
- The USOC and NCAA are, and have been, in dispute over certain jurisdictional matters. If the USOC were to become the highest sports authority, as it is presently structured, this might have a negative bearing on the potential resolution to this dispute. In particular, it might be the duty of the highest sports authority to arbitrate disputes such as this and to act objectively in their resolution. There are other organizations, including certain governing bodies, that might have difficulty with this designation of the USOC as the highest sports authority as presently constituted
- The USOC as the highest sports authority might wrongly imply that the Olympics and the Pan American Games are the only important international events

> for amateur sports. This could mean non-Olympic sports would receive the balance of assistance after the Olympic sports. Accordingly, the United States performance in non-Olympic international competition could suffer. Again, restructuring would have to accommodate needs of non-Olympic sports

The AAU, as the Largest Amateur Sports Organization, Could Become the Highest Sports Authority Through Federal Charter

The AAU consists of amateur sports organizations in every state. It is the governing body for aquatics, track and field, wrestling, judo, weightlifting, boxing, bobsled and luge. In addition, it has nine non-Olympic sports in which it conducts programs including some for which it is the governing body as well. The AAU has programs for some sports in which it is not the national governing body, such as gymnastics.

The AAU has 59 associations in 14 regions. It claims to have programs that reach over 50 million people. These programs receive assistance from 300,000 volunteer officials. The AAU relies primarily upon members' club dues, revenues from major competitions, the sale of television rights to AAU sanctioned competitions and donations.

In assuming the role of highest sports authority, the AAU would have to forego its role as the national governing body for any sport. Individual sport bodies within the AAU could separate and become autonomous organizations. The size of the decision-making body of the AAU Board of Governors might have to be reduced in number. The number and type of executive and technical personnel it employs might also be reviewd in connection with the new responsibilities.

The AAU as the highest sports authority could have certain advantages:

- It currently has an organization in place
- It is a broad-based organization that operates part of the non-college club program and is involved with athletes of all ages
- The concept of a broad-based AAU, constituted as a private, independent organization may have appeal to the amateur sports population

Certain factors exist currently that seem to require the AAU to restructure itself if it were to become the highest sports authority:

- If the AAU, as the highest sports authority were to retain its existing responsibilities, the non-AAU sports could suffer. The AAU might favor its "own" sports first in terms of financial and administrative support. The AAU might be less sensitive to the problems of non-AAU sports both in treatment of these sports and in its hiring policies
- The AAU and NCAA have been feuding over jurisdictional matters in certain AAU sports. The AAU would not have the cooperation of the NCAA unless the AAU were restructured
- Certain sports now controlled by the AAU have expressed dissatisfaction with AAU headquarters. Accordingly, major organizational changes within the AAU administration may be necessary, if the AAU becomes the highest sports authority
- The current services offered by the AAU to the governing bodies are insufficient to run a total amateur sports system. For instance, the AAU does not provide its sports with the breadth of services and leadership envisioned by the model discussed in the previous chapter

The Highest Sports Authority Could Be a Federation or Association of Governing Bodies of United States Amateur Sports Through Federal Charter

Currently, there is not an effectively constituted United States federation of sports federations or governing bodies. Such an organization could be created to function as a highest sports authority for amateur sports. As has been described earlier in this report, there is precedent for a federation of governing bodies to be a highest sports authority.

It is noted that the United States Amateur Athletic Federation (USAAF) is an organization of 15 amateur sports governing bodies. The USAAF is a private organization.

3. IMPLEMENTING A HIGHEST SPORTS AUTHORITY REQUIRES CONDUCTING A SERIES OF TASKS

If this Commission is to recommend that a highest sports authority be established and made operational to meet the needs of amateur sports, it must also consider the following steps or tasks to ensure its prompt implementation:

- Review the model structure of a highest sports authority for:
  - Integrating the model into the existing sports organizations of the United States
  - Developing the benefits, tangible and intangible, of this authority to its several constituencies
  - Defining precisely the new alignment of sports bodies, i.e., the amateur sports system

- Examine the feasibility of the structure in terms of the legal, administrative and fiscal implications, and qualify the feasibility of the new system, both domestically and internationally
- Develop an implementation time-table
- Prepare the second report of this Commission
- Draft proposed legislation for Congress based on the recommendations of the second report. This legislation should include:
    - nature of the organizational structure of a highest sports authority
    - its mission
    - its goals
    - breadth of responsibility and vested authority
    - amount and source of funding to cover both the operating budget and the "start up working capital"
- Plan the specific operations of an authority including:
    - physical location
    - first five years of operations
    - operating manual
    - job descriptions and personnel classification
- Define and prepare to put in place the checks and balances of both a highest sports authority and its affiliated organizations

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This chapter has presented certain implementation alternatives for further examination and consideration.